



3 1761 11648186 2





Digitized by the Internet Archive
in 2023 with funding from
University of Toronto

Doc
Canada, Veterans Affairs, Special
Committee on, 1952
HOUSE OF COMMONS 770

Sixth Session—Twenty-first Parliament, 1952 40

121
SPECIAL COMMITTEE

ON

VETERANS AFFAIRS

Chairman: L. A. MUTCH, Esq.

MINUTES OF PROCEEDINGS AND EVIDENCE Report

No. 1

MONDAY, MAY 5, 1952

THURSDAY, MAY, 8, 1952

FRIDAY, MAY 9, 1952

WITNESSES:

Hon. H. Lapointe, Minister of Veterans Affairs.

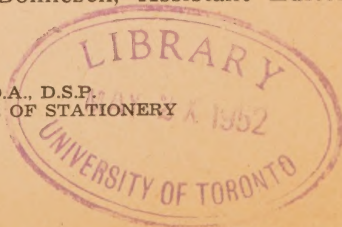
Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board.

Mr. G. L. Lalonde, Assistant Deputy Minister; Mr. G. H. Parliament, Director General of Welfare Services; Mr. P. J. Phillpott, Special Adviser to the Deputy Minister; Mr. C. A. Patrick, Director Social Services Division, Department of Veterans Affairs.

Group Capt. A. Watts, A.F.C., Dominion President; Dr. C. B. Lumsden, M.M., Dominion 1st Vice-President; Mr. Robert Macnicol, B.C. Representative; Group Capt. H. R. Stewart, Dominion Honorary Treasurer; Mr. T. D. Anderson, General Secretary; Mr. D. M. Thompson, Chief Service Officer, Canadian Legion of the B.E.S.L.

Mr. John Hundevad, Editor, and Mr. A. Bonnezen, Assistant Editor, *The Legionary*.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1952



SPECIAL COMMITTEE

ON

VETERANS AFFAIRS

Chairman: L. A. MUTCH, Esq.

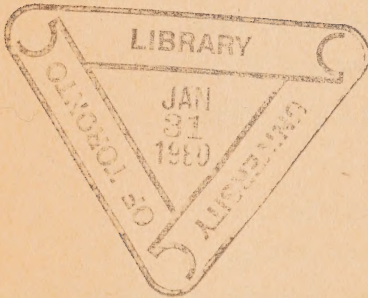
Messrs.

Balcer
Balcom
Bennett
Blair
Brooks
Carter
Corry
Croll
Cruickshank
Dickey
George

Gillis
Green
Harkness
Herridge
Hosking
Jutras
Langlois (*Gaspé*)
Larson
Lennard
MacDougall
McWilliam

Mott
Quelch
Roberge
Ross (*Souris*)
Thomas
Tremblay
Weaver
White (*Hastings-
Peterborough*)

A. L. BURGESS,
Clerk of the Committee.



ORDERS OF REFERENCE

HOUSE OF COMMONS,

TUESDAY, April 29, 1952.

Resolved—That a Select Committee be appointed to consider a Bill respecting allowances for War Veterans and their dependents, and to consider such other matters relating to Veterans' Affairs that may be referred to the Committee; with power to send for persons, papers and records; to print its proceedings, and report from time to time to the House; that the provisions of Section 1, Standing Order 65, be waived in respect to this Committee; and that the said Committee shall consist of the following Members:—Messrs. Balcer, Balcom, Bennett, Blair, Brooks, Carter, Corry, Croll, Cruickshank, Dickey, George, Gillis, Green, Harkness, Herridge, Hosking, Jutras, Langlois (Gaspé), Larson, Lennard, MacDougall, McWilliam, Mott, Mutch, Quelch, Roberge, Ross (*Souris*), Thomas, Tremblay, Weaver, White (*Hastings-Peterborough*).

MONDAY, May 5, 1952.

Ordered—That the quorum of the said Committee be reduced from 16 to 10 members.

That the said Committee be granted leave to sit while the House is sitting.

MONDAY, May 5, 1952.

Ordered—That the following Bill be referred to the said Committee:—

Bill No. 182, An Act to amend The Veterans Benefit Act.

TUESDAY, May 6, 1952.

Ordered—That the following Bills be referred to the said Committee:—

Bill No. 183, An Act to amend The Veterans Insurance Act.

Bill No. 184, An Act to amend the Pension Act.

Bill No. 181, An Act respecting Allowances for War Veterans and their Dependents.

WEDNESDAY, May 7, 1952.

Ordered—That the following Bill be referred to the said Committee:—

Bill No. 191, An Act to amend The Civilian War Pensions and Allowance Act.

Attest.

LEON J. RAYMOND,
Clerk of the House.

REPORT TO THE HOUSE

MONDAY, May 5, 1952.

The Special Committee on Veterans Affairs begs leave to present the following as its

FIRST REPORT

Your Committee recommends:

1. That its quorum be reduced from 16 to 10 members.
2. That it be granted leave to sit while the House is sitting.

All of which is respectfully submitted.

L. A. MUTCH,
Chairman.

MINUTES OF PROCEEDINGS

MONDAY, May 5, 1952.

The Special Committee on Veterans Affairs met at 10 o'clock a.m.

Members present: Messrs. Balcom, Bennett, Brooks, Carter, Corry, Croll, Cruickshank, Dickey, George, Gillis, Green, Herridge, Jutras, Lennard, MacDougall, McWilliam, Mutch.

On motion of Mr. Bennett, Mr. Mutch was elected Chairman of the Committee.

On motion of Mr. Croll,—

Resolved,—That the Committee recommend that it be granted leave to sit while the House is sitting.

On motion of Mr. MacDougall,—

Resolved,—That the Committee recommend that its quorum be reduced from 16 to 10 members.

On motion of Mr. Dickey,—

Ordered,—That the Committee print from day to day, 1,000 copies in English and 200 copies in French of its minutes of proceedings and evidence; and that the Chairman be authorized to order the printing of such additional copies as he may deem necessary.

On motion of Mr. Croll,—

Resolved,—That a sub-committee on agenda and procedure, comprising the Chairman and 7 members to be named by him, be appointed; and that voting in the sub-committee be as set forth in Standing Order 106.

The Chairman informed the Committee that representatives of both the Canadian Legion and the British Empire Service League and the National Council of Veterans Associations would be available to appear before the Committee on Friday, May 9.

The Chairman named the following members to sub-committee on agenda and procedure: Messrs. Brooks, Dickey, George, Gillis, Green, MacDougall and Quelch.

At 10.20 a.m. the Committee adjourned to the call of the Chair.

A. L. BURGESS,
Clerk of the Committee.

MINUTES OF PROCEEDINGS

THURSDAY, May 8, 1952.

The Special Committee on Veterans Affairs met at 4 o'clock p.m., the Chairman, Mr. L. A. Mutch, presiding.

Members present: Messrs. Balcom, Bennett, Brooks Carter, Corry, Croll, Dickey, Gillis, Green, Harkness, Herridge, Hosking, Jutras, Langlois (*Gaspé*), Larson, Lennard, MacDougall, McWilliam, Mott, Mutch, Quelch, Ross (*Souris*), Weaver.

In attendance: Hon. H. Lapointe, Minister of Veterans Affairs; Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board; Mr. G. L. Lalonde, Assistant Deputy Minister, Mr. G. H. Parliament, Director General of Welfare Services, Mr. P. J. Phillpott, Special Adviser to the Deputy Minister on the Veterans of Both Wars, and Mr. C. A. Patrick, Director, Social Services Division, Department of Veterans Affairs.

Mr. Lapointe addressed the Committee briefly.

Messrs. Parliament, Garneau, Phillpot and Patrick presented statements to the Committee relating to Bill No. 181, An Act respecting Allowances for War Veterans and their Dependents, and were questioned thereon.

It was agreed that, with the exception of Monday, May 12, the Committee would sit on Monday and Friday mornings of each week.

It was also agreed that the Committee would first consider Bill No. 181.

At 5.30 o'clock p.m. the Committee adjourned until Friday, May 9, at 11 o'clock a.m.

FRIDAY, May 9, 1952.

The Special Committee on Veterans Affairs met at 11 o'clock a.m., the Chairman, Mr. L. A. Mutch, presiding.

Members present: Messrs. Balcom, Bennett, Brooks, Carter, Corry, Dickey, Gillis, Green, Harkness, Herridge, Jutras, Langlois (*Gaspé*), Larson, Lennard, MacDougall, McWilliam, Mott, Mutch, Quelch, Ross (*Souris*), Thomas, Weaver.

In attendance: Group Captain A. Watts, A.F.C., Dominion President; Dr. C. B. Lumsden, M.M., Dominion 1st Vice-President, Mr. Robert Macnicol, British Columbia representative; Group Captain H. R. Stewart, Dominion Honourary Treasurer; Mr. T. D. Anderson, General Secretary; Mr. D. M. Thompson, Chief Service Officer, all of the Canadian Legion of the B.E.S.L.; Mr. J. Hundevad, Editor, and Mr. A. Bonnezen, Assistant Editor, *The Legionary*.

The Chairman presented the first report of the sub-committee on agenda and procedure which is as follows:

Your sub-committee on agenda and procedure met on Thursday, May 8, 1952, and agreed to recommend:

1. That representatives of the Canadian Legion be heard on Friday, May 9, and of the National Council of Veteran Associations in Canada on Tuesday, May 13.

2. That the President and Secretary of the Federation of British Canadian Veterans of Canada and the President and Secretary of Canadian Non-Pensioned Veterans' Widows be heard on Friday, May 16.

3. That, following the practice adopted by Veterans Affairs Committees in the past, the Committee do not investigate individual cases; and that it consider representations from veteran organizations only when submitted by their Dominion Commands.

The first report of the sub-committee on agenda and procedure was adopted.

Group Captain Watts was called, presented a brief on behalf of the Canadian Legion of the B.E.S.L., was questioned thereon and retired.

At 12.13 o'clock p.m., the Committee adjourned until Tuesday, May 13, at 4 o'clock p.m.

A. L. BURGESS,
Clerk of the Committee.

EVIDENCE

May, 8, 1952
4.00 p.m.

The CHAIRMAN: Gentlemen, we have a quorum, and since this is our first meeting I do want to say just a word or two and I promise I will be brief. I should like to express my appreciation of the confidence which has been exhibited in me in putting me back here in this job for which there is no competition. On the other hand, it has served, I hope, as a vehicle for performing, with the assistance of the committee, in the past, some real service to comrades in the services, and I am quite sure that as a result of our co-operative effort in the committee we shall do so again. So far as today's meeting is concerned, I shall not take formal cognizance of the fact that the top brass of the Canadian Legion are with us today, since they will be introduced to you tomorrow morning when they make their regular presentation to the committee, beyond noting the fact that they are here. What we propose to do at this meeting today is to lay before the committee, as has been our practice in the past, some brief statements of the officials of the department which deal with the documents and the matters which are to be considered by this committee. We are honoured this afternoon in having with us the minister of the department, and before I call any of the witnesses I shall ask him if he has a word to say to the committee.

Hon. Mr. LAPOINTE: Thank you very much, Mr. Chairman. Of course I appreciate being here, as I am not a member of the committee myself. I do not intend to delay the committee in starting immediately on its work. The committee has been convened in conformity with the commitment which I gave last year that we would establish the select committee this year mainly to look into the question of war veterans' allowance. I would suggest, if I may be permitted to do so, that it is possibly the most important legislation which will be brought before the committee this year, and if the members see fit to do so, I personally would appreciate if this was the first matter taken up and studied by the committee, that is, the bill which has been referred by the House on war veterans' allowance.

Now, as in previous years, we shall have the benefit of the views of the organized veterans' bodies, that is, the Canadian Legion and the National Council of Veterans' Associations. No doubt, other groups may ask to be heard before the committee and I assume that, as in the past, the committee itself will decide as to whom they wish to hear. As in the past, officers of the department will be at the disposal of the members of the committee and will be prepared to give all the information the committee wishes to obtain from the department. I have anticipated—I should say possibly that the chairman had anticipated that the first question to be studied would be war veterans' allowance, and I did ask some of the officers of the department to be present this afternoon to give some comments on the legislation which will be studied by the committee, and I would suggest, Mr. Chairman, that you could proceed now if the committee sees fit to do so.

The CHAIRMAN: Gentlemen, I am remiss in one respect—I have not called the steering committee together since our organization meeting, to decide on an agenda, but I did anticipate that the committee would be anxious to proceed with war veterans' allowance, which is before us, since we all have a long term commitment to do something about it, and I think everyone here is on record about the urgency of this matter. With that in mind I asked the deputy

—who is unfortunately not able to be here today, being absent on other departmental business—to be present; but he has prepared a memorandum which I now propose, with the consent of the committee, to ask Mr. Parliament to present.

Mr. G. H. Parliament, Director General of Welfare Services, Department of Veterans' Affairs, called:

THE WITNESS: Mr. Chairman and hon. members.

The following statement, which I am reading on behalf of the deputy minister of the department, is in regard to Section 4, which as the minister stated in the House, embodies a new principle.

The other parts which represent changes in substance from the previous Act will be dealt with by the Chairman of the War Veterans' Allowance Board.

Since the War Veterans' Allowance Act was first passed in 1930, ideas on the employment of older citizens have changed radically. In 1930 we were talking about "burnt-out veterans" and getting them "out of the employment stream" presumably with the idea that there was a limited amount of employment and if veterans were no longer competing for part of it, it would be better for the younger people.

But now all that is changed, we know that many of those whom we characterized as "burn-out", got good jobs in war industries during World War II. And many of them joined the Veterans' Guard and gave very useful service. Nowadays we hear a great deal about the changing pattern of our population, that a much higher proportion of it will be in the older age groups of from fifty years up, than in the past. Several members observed during the debate at second reading of the bill that it is better for our economy that these older citizens should work when they are able to and contribute to production.

It is generally advocated now by sociologists, welfare workers and others who have been studying the welfare of the elderly, that an ageing man should stay in employment as long as it is possible. This is because the average man is happier with a job; it gives him the feeling that he is useful, contributing something to society; for the ordinary man it is the basis of self-respect.

Section 4 will not affect the recipient who is permanently unemployable for physical causes—illness or injuries. The status of such a recipient of War Veterans' Allowance will not be changed at all. It is possible to determine from medical examination and the man's work-history when such a man is in fact permanently unemployable. There is a branch of the medical art which is known as geriatrics, or the care of the aged. Dr. Wallace Wilson of Vancouver has been acting as adviser to the Director General of Treatment Services of the Department in geriatrics. So many of the veterans for whom the Department has responsibility being in the older age group, this subject is naturally considered to be very important. I think the committee might wish to hear Dr. Wallace Wilson, who will be in Ottawa next week. He will be able to give what I think will be interesting information about the measures taken in Vancouver as a pilot project, and which are being extended to other districts to ensure that all feasible treatment measures are taken to enable older veterans to maintain their activity and consequently the greatest possible degree of independence.

The class of recipients to which the new provisions would apply consists mainly of those from 60 to 65 years roughly, and who desire to and are capable of accepting employment whether casual or light regular employment when it is available.

You will recall the War Veterans' Allowance originally was assimilated to the old age pension. The veteran who had served in an actual theatre of war

was considered to be pre-aged by ten years, and therefore eligible to get the war veterans' allowance at the age of sixty, while the civilian had to wait until he was seventy for old age pension. The departmental officials most concerned with the problem feel that it is in the veterans' interest that there should be an expansion of concept of how this group can be helped.

When a man reaches the age of 60 and has no special trade or skill, it is hard for him to get continuous employment. He will probably get jobs when plenty or jobs are going, that is, he will get seasonal work, and will be unemployed part of the year. It is desirable for him and for the country that he should work when he can. The great majority of these older veterans want just that. But when they can't work they should have protection against want.

It is difficult to help veterans who fit into this category of "part-time employables" under the War Veterans' Allowance as it stands, because of the provisions that there shall be a ceiling of income for the year—a period of twelve successive months. There are similar provisions in the former Old Age Pension and the present Old Age Assistance Act. In the case of the single man the ceiling in the present War Veterans' Allowance Act is \$610.

What happens when one of these men of sixty years or over get some employment? Whatever he earns through that employment must be subtracted from the amount that can be paid him during the year. If he gets two months' employment in the year at \$150 a month, it means that for the balance of the whole year he can only have about \$300 and that would be \$30 a month—not enough for him to live on. Yet there is no way of getting around that provision under the terms of the present Act.

It can happen that a man who takes employment during the summer finds in the later autumn that he has no money, and by the operation of this provision in the Act, is not entitled to war veterans' allowance, until his "overpayment" has been cleared by the passage of time. Often these men have to be helped from poppy and other charitable funds.

Then there is the question of exempting earnings from casual employment. What is casual employment and what is not casual employment? I think the Chairman of the War Veterans' Allowance Board will agree that this is a question which has occasioned the Board great difficulty.

The present concept of treating veterans as completely unemployable just because they have reached the age of sixty and dealing with them in accordance with an Act intended primarily for old age pensioners, people of the age of seventy or up who really can't be expected ever to be employed again, often leads to deception on the part of the recipient, useless work and stultifying evasions in departmental administration, all of which is bad.

Section 4 in the new bill provides that instead of paying war veterans' allowance to men in the categories mentioned under the restriction of an annual income ceiling, the allowance may be paid on a monthly basis when they are unemployed. It could be compared to an extension of unemployment insurance for veterans but, of course, without the necessity to qualify by previous insurance payments.

This section has been drafted with the purpose, and if passed, will be administered with the purpose of helping the older veteran to gain employment, and of giving him protection when he is unemployed. It is proposed to administer it in something the same way as was the out-of-work allowance paid to veterans who couldn't find work during the rehabilitation period after World War II; that is, in co-operation with the National Employment Service, and the Unemployment Insurance Commission. We have had consultations with these agencies and they are prepared to carry out the necessary administrative work in co-operation with D.V.A. The veteran would attend the National Employment Service office to see whether there was any work for

him; or if not resident near one, would write in. It would be part of the National Employment Service Job to help the veteran to find work, and if there was no work, to pay him his monthly allowance. No veteran would be forced to change his residence to take work. The principle would be that the employment to be offered him would be such that he would be capable of undertaking it from his residence.

Under such a plan most of the difficulties about casual earnings and deducting earned income, and consequently most difficulties about overpayments, would disappear—when a man was employed he would be entitled to what he earned, and when he became unemployed he would be entitled to the monthly allowance.

Deductions from the new type of war veterans' allowance on account of regular income, such as pensions, superannuation, interest on bonds, etc., would be the same as under the present system. For example, a single veteran's 20 per cent pension amounts to \$300.00 annually. If the new war veterans' allowance ceiling were \$720.00, he would be eligible for $\$720 - \$300 = \$420$ war veterans' allowance annually, or \$35 monthly. This he would draw when unemployed.

Veterans would be concerned as to whether they would be entitled to the medical treatment which they now get by reason of being war veterans' allowance recipients. The answer is that they would still be eligible for free treatment if found eligible for the "monthly" war veterans' allowance.

The CHAIRMAN: Thank you, Mr. Parliament. I think perhaps we will just continue by asking the Chairman of the War Veterans' Allowance Board to indicate to the committee rather briefly what the changes and points of impact are of the revised bill as compared with the former one.

Mr. GREEN: Are we at liberty to question Mr. Parliament?

The CHAIRMAN: I think we had better get the material on the record first before we begin our discussion. That has been our usual practice. The deputy minister will be here at subsequent meetings. It is his memorandum that has been presented by Mr. Parliament. I think that if we defer questioning until our next meeting it might be more satisfactory.

Mr. GREEN: I think in other committees we have questioned the official making a statement when he had finished and then, gone on to the next statement.

The CHAIRMAN: I would prefer—I am in the hands of the committee—to put the whole of the story on the record before we begin questioning witnesses.

Mr. CROLL: That is the proper procedure, Mr. Chairman.

Mr. HERRIDGE: I move that we hear the information from the officials before questioning commences.

The CHAIRMAN: You have heard the motion, gentlemen: those in favour? Those opposed?

Agreed.

The CHAIRMAN: I will now ask Colonel Garneau to proceed.

Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board, called:

The WITNESS: Mr. Chairman and gentlemen, I have been asked to say a few words in relation to bill 181 now presented to your committee on Veterans Affairs, and I propose to make my remarks short in view of the fact that during these meetings of the Veterans Affairs committee there will, I have no doubt, be many expressions of opinions, and I do not wish to take up your time at this stage of your deliberations.

On referring to the explanatory notes of the bill, you will find that most items representing a change to the former Act are covered. Although I do not intend to read through the bill section by section, I propose to call your attention to a few salient points in the legislation in addition to the explanations contained in the bill.

Most of the minor changes in the Act are made rather to meet the needs of administration or clarification of the former legislation as implied in the preamble to the explanatory notes.

The purpose of section 4 of the bill which constitutes a major departure from the present legislation, has just been explained by Mr. Parliament on behalf of the deputy minister. I therefore need do no more than just mention it.

Section 5 replaces the well known section 17(1) and (2) of the present Act and further enlarges its scope in so far as it will allow the allowance to be paid to a widow at the full rate instead of being limited to the amount which was being paid to her late husband at the time of his death for burial and other expenses. Under the present Act, for instance, if a veteran had a pension of, say \$50 per month, War Veterans' Allowance could be paid only at \$41 per month, and following his death the allowance continued for twelve months to the widow under section 17(1) thus could not exceed \$41 a month, which was the amount in payment at the time of the veteran's death, even if she had no other income. Under the proposed legislation the amount of allowance which could be paid to a widow in similar circumstances could be raised to, at least, \$90. This section further provides that the veteran himself without dependents may continue to receive allowances at married rates for a period of twelve months following the death of his wife instead of for a period of one month only as at present. This, in order to help take care of extra expenses incurred through his wife's last illness and death, burial costs and so on.

Section 6 of the Act which might be called the exemption section raises the exemption on the property in which the veteran resides from \$4,000 to \$6,000. The other sections are the same.

In connection with sections 11 and 12 of Bill 181 which re-enact sections 18 and 20 of the present Act, I would suggest that the figures 20 and 18 in the explanatory notes be interchanged. This probably is only a printer's error.

Section 14—The present policy of the board with respect to absence from Canada is hereby confirmed in the statute. It has been found satisfactory to all concerned and has given rise to no complaint as far as I know. That is the policy that has been applied since 1948, after we had extended the time.

Section 20 of the Bill is a softening up of section 25 of the present Act which provided for stiffer penalties in case of fraud. However, as this section and section 21 which follows deal more specifically with the legal aspects of court procedure I prefer to leave any further explanation that may be required to the director of the legal division of the department who would primarily deal with cases falling under these sections.

Section 22 provides, as in the former legislation, that regulations may be made by the minister for the purpose of carrying out the administration of the Act. This section of the former Act has been enlarged by spelling out, so to speak, the various matters which may become subject to the minister's specific instructions. This was thought advisable particularly because of the decentralization of the War Veterans' Allowance Board's Authority to district authorities, which took place in 1950. The district authorities now have jurisdiction and authority in their own districts while the board itself constitutes a court of appeal and review.

Sections 23 to 29 inclusively, substantially repeat the provisions of the present Act concerning the set up of the War Veterans' Allowance Board as amended in June 1950 to provide for the establishment of district authorities.

Section 30 groups under one section the veterans described in what might be called scattered places in the present legislation. Its main purpose is to facilitate reference.

As I have stated at the beginning, it was not my purpose to comment on each clause of the proposed bill, but only to add a few—probably unnecessary—words to the explanations contained in the bill itself with which you are now familiar and which will now be discussed more fully by your committee.

In closing, I thought however, that it might be of some interest to you to know that, according to our records as at March 1, 1952, there was a total of 38,437 recipients of War Veterans' Allowance, of which 29,688 were veterans, 8,661 widows, and 88 accounts of orphans, which represent roughly some 140 orphans, at an annual liability of \$21,500,000 in round figures, and that the present percentage of recipients under sixty years of age and those sixty years of age or over is respectively 46 per cent and 54 per cent. Also as at March 1, 1952, the breakdown of veteran recipients by wars is as follows:—

| | |
|-----------------------------|--------|
| Northwest Field Force | 156 |
| South African War | 685 |
| World War I | 21,853 |
| World War II | 3,436 |
| Dual Service Veterans | 636 |

Those who served in Canada and England and in both wars but not actually qualified by service in a theatre of actual war for pension.

| | |
|---|--------|
| Ex-Imperials admitted under the 1950 amendments | 2,922 |
| | <hr/> |
| | 29,688 |

This, Mr. Chairman, Gentlemen, concludes my remarks.

The CHAIRMAN: Thank you, Colonel Garneau. I propose now to call Colonel Phillpott, who will give you the results of the departmental study which he has prepared with respect to aged veterans. In the department Colonel Phillpott is the one charged with the responsibility for placing the older veterans, and it is in connection with that subject that he has been asked to speak to you today.

Mr. P. J. Phillpot, Special Adviser to the Deputy Minister concerning Veterans of Both Wars, called:

The WITNESS: Mr. Chairman and gentlemen, it is a pleasure to appear before you in respect to the employment of older veterans; and by older veterans we mean those who served in World War I or the South African War, regardless of whether or not they might have served in both wars; World War I is the key to the older veterans.

An acute awareness of undue discrimination against age in the employment field developed in the War II demobilization period when thousands of War I veterans, whose service in War II was invaluable, were becoming shop soiled on the employment service placement lists solely because of their age.

Employers generally insisted that only youth and brawn was a profitable labour investment in the post-war business conversion process.

There was a considerable run on D.V.A. out-of-work benefits, and certainly on war veterans' allowance which included the new Dual Service entitlement, because of discriminatory age hiring policies.

The department, ably assisted by the Department of Labour, citizen rehabilitation committees, veteran bodies and far sighted private employers, tackled the problem and did succeed, over a period of five years, in getting the older veteran employment problem under control.

National drives were launched in behalf of the Corps of Commissionaires, and for the placement in all lines of work of the older veteran class. Newspapers and leading periodicals featured the statistical and economic trend of a growing older population. Radio and film were employed to stress the skill, productivity, and other values of the solid, mature, aged workman. The Unemployment Insurance Commission, through its national employment service, established local office specialist services for older job applicants, to fit work capacity and placement opportunity to the individual.

D.V.A. co-operated by the establishment of problem review boards to which the National Employment Service referred resistant cases for study and counsel.

To assist the solution of difficult or problem cases, particularly those located in comparatively remote areas where the more complete facilities of N.E.S. and D.V.A. are not readily available, at the invitation of the department and with full concurrence of the Unemployment Insurance Commission, the dominion command of the Canadian Legion sponsored the formation of branch employment committees. This movement which we termed the "Big 3", provides for development to the utmost of the interest and assistance of the whole community in the problems of its own veterans. With the coverage and influence of the Legion, it is gratifying that in every community there are three or more men who can sit informally around a table at required times and analyse individually the case of each unemployed veteran who, for some reason or other, is resisting successful placement. If he can work he should have a job; if he can't work, every avenue of rightful entitlement should be vigorously exploited.

If there is no entitlement under the Veterans' Charter, then his rights as a citizen of the municipality and the province should be fully pressed.

There is a strongly developed tendency in some localities to consider every veteran problem to be the responsibility of the department or federal authority. This co-ordinated plan has merit and we hope it will be further developed.

The Unemployment Insurance Commission reported favourably upon it in their 1951 annual report, and the general secretary of the Legion commended it in the April, 1952, issue of the Legionary.

War veterans' allowance is often the indicated solution.

Traffic of older veterans through these built up services has averaged 50,000 each year.

The mean average of older veterans recorded as out of work for thirty day periods during 1951 was 5,760 during the five winter months, and 2,740 during the seven summer months. These are gratifying figures against the approximate population of 340,000 War I veterans averaging sixty-one years of age alive in Canada today.

What relationship has this activity to war veterans allowance?

An ex-company sergeant major who won his Distinguished Conduct Medal with the P.P.C.L.I. in the Great War, is now past 70 years of age. He served the Queen in the South African War at the age of 18. He has the King's and Queen's South African Medals, the Mons Star and Victory with Oak Leaf for Mention in Despatches, and the Belgian Croix de Guerre. As a commissionaire he can be seen daily in his immaculate blue uniform serving at the Trans-Canada Airlines entrance to Stevenson Field, Winnipeg. A Winnipeg daily recently wrote him up as a shining example of good citizenship. He earns about \$144 a month as a commissionaire. For years he has preferred to work rather than go on war veterans' allowance, to which he has full entitlement by virtue of his Imperial Service and residence in Canada, as well as his front line service in the C.E.F.

An ex-sergeant of the 28th Bn., suffered gunshot wounds and won the Military Medal in France. At sixty-four years of age he has three young

children from a second marriage. He, like the company sergeant major is not a disability pensioner, though he has been in poor health for years. His first application for War Veterans Allowance was disallowed in 1939 due to earnings. In 1947 he again applied, but withdrew the application because he was taken on temporarily by the Corps of Commissionaires. In 1948 he was granted the allowance at \$23.16 a month which, with Unemployment Insurance Commission benefits which he had earned by work as a commissionaire, gave him the ceiling income under the Act. He again got work and, at his own request, the allowance was withheld. There followed a period of ill health and outpatient treatment from the department, but he continued to work—so much so, that his earnings disentitled him to 5A treatment . . .

On May 19, 1951, the wife,—not the veteran—wrote the minister an appealing letter of their hardships and her husband's bad health, but he continued to work as a commissionaire although arrangements had to be made so that he would not have to climb any stairs during his duty. We went into his case very thoroughly. He was earning between \$135 and \$140 a month as a commissionaire. He was very frail but determined. His family budget requirements, including shelter at \$45 monthly, required all his earnings and family allowances so, in spite of medical opinion that he should not be working, he, with the co-operation of the corps, continued to work. Unfortunately, on March 6th of this year, he had to quit and accept war veterans' allowance which will, we hope, be shortly supplemented by provincial mothers' allowance. However, he still feels he can perform intermittent employment, between medical treatments, provided it does not jeopardize his War Veterans Allowance or his entitlement to free treatment.

The Corps of Commissionaires employs several thousand veterans similar to these cases who would otherwise be drawing War Veterans Allowance, at an annual cost of at least one million dollars, but the wage benefit to the men, their families and the community is considered to be three times the saving in public funds.

Through improved placement opportunity, suitable regular, though intermittent or seasonal, work became available to many old veterans already drawing War Veterans Allowance. They welcomed the chance to work and increase their income, but difficulties arose due to the War Veterans Allowance Act limitation of income "in any year". While willing to work when work offered, these veterans discovered, to their chagrin and their cost, that upon re-application for War Veterans Allowance their earnings must be charged against them, even though the earnings had been spent in good cause such as the replenishment of clothing and household necessities.

I give an example of veteran "A":

Jan. 1, 1951—War Veterans Allowance granted at \$70.83.

May 1, 1951—War Veterans Allowance suspended because veteran became employed at \$150 per month.

Oct. 31, 1951—Employment ceased and the veteran applies for War Veterans Allowances reinstatement.

The accounting result is:

| | | |
|--|----|----------|
| 4 months War Veterans Allowance at \$70.83.... | \$ | 283.32 |
| 6 months employment at \$150..... | | 900.00 |
| | | <hr/> |
| War Veterans Allowance income ceiling..... | \$ | 1,183.32 |
| | | 1,100.00 |
| | | <hr/> |
| | \$ | 83.32 |
| | | <hr/> |

The veteran had received from allowances and self-employment \$83.32 more than the ceiling in the ten-months, the result being that no war veterans allowance permissible for November and December, although veteran may be without funds and the state has saved 6 months' war veterans allowance amounting to \$424.98.

The Canadian Legion protested many cases of this nature, and Welfare Officers of the Department suffered frustration.

During 1951 a representative departmental committee endeavoured to solve this obviously unintended obstacle to employment encouragement. The Department of Justice was consulted, but it became obvious that only a new approach to the purposes and conditions of the War Veterans' Allowance Act would enable the administration to permit intermittent employment of a regular nature in the public and in the veteran's interest.

In 1930 and subsequent years it was expedient to retire from the labour market veterans handicapped by pre-aging and physical disabilities, but present conditions are the reverse in that work is available for those able and willing though they be over 60 years of age. Experience has proved that when work is available within their capacity, veterans are not satisfied to retire at 60 years on war veterans' allowance. Provided they have protection against periods of unemployment, there is no sound reason why they should retire on state allowances.

The solution of the problem and the interest of all concerned would seem to be covered by the provisions of sections 3 and 4 of the new Bill.

Last week I attended a two-day discussion with officials of the Unemployment Insurance Commission in furtherance of the commission's early intention to intensify their services to older job applicants.

The percentages of "over 45" applicants registered with the national employment service is giving cause for concern.

While the Unemployment Insurance Commission program is on behalf of older workers, owing to the veterans' preference, it is considered we cannot help but benefit by the efforts they put forth.

That is all thank you, sir.

Mr. MACDOUGALL: Mr. Chairman, I may have heard incorrectly but if I did hear correctly I think Colonel Philpott used an expression which might sound objectionable if it went into the record. Just shortly after you spoke of the "big three" I think you said: Certain veterans resisted employment.

The WITNESS: No, I spoke of cases that resisted placement.

Mr. MACDOUGALL: Resisted placement?

The WITNESS: I did not say the veterans resisted employment. The case resists placement for many reasons. It may be health, the location where he lives, or a dozen reasons.

The CHAIRMAN: I have still another brief which I will ask Mr. Patrick, the director of social services to give us, respecting supplementary war veterans allowance.

Mr. C. A. Patrick, Director, Social Services Division, Department of Veterans Affairs, called:

The WITNESS: Mr. Chairman, Mr. Minister, and gentlemen: The assistance fund (war veterans allowance) was established in April, 1949, following an extensive enquiry conducted by the department which indicated that a certain number of recipients of war veterans allowances were unable to manage on the maximum allowance without additional financial help. The primary purpose of the fund was to provide financial assistance to those recipients who,

on the basis of need, required an amount over and above the maximum amount of allowances which could be paid under the War Veterans Allowance Act but not to exceed the maximum *income* permitted.

In order to establish the need for such an additional amount, district assistance fund committees were set up to give individual consideration to each application. On the basis of this individual approach, it was soon discovered that many war veterans allowance recipients were not aware of services provided by the Department of Veterans Affairs to which they had entitlement. For example, a percentage of war veterans allowance recipients did not know that they were entitled to free medical care at the expense of the department. Many of them had in fact been paying private doctors for medical services.

It is understandable that veterans would not be aware of all the services available from municipal, provincial and private social agencies in the communities in which they lived. One of the first tasks undertaken by assistance fund committees, therefore, was to explore all such possibilities on behalf of veterans and to make sure that each applicant was advised of additional services which were his as a matter of right. For example, over 20 families were referred to the provincial mothers allowance commission within the first few months of operation by one of our district assistance fund committees. Since the War Veterans Allowance Act does not provide for children and provincial mothers allowances are, therefore, specifically exempted as income, it is possible for payments from both of these sources to be in effect at the same time. Many of these cases were approved by the provincial authorities and the income for the family was thereby considerably increased.

From the foregoing, it is evident that the financial assistance provided is only a small part of the help that is given to a veteran who applies for financial aid from the Assistance Fund. The Fund is operated under the direction of the Welfare Services Branch and, therefore, every attempt is made to meet the total needs presented by the applicant through existing social agencies as well as departmental resources. Referrals are made to other agencies wherever it appears to be in the veteran's interest.

The benevolent funds have co-operated with the assistance fund and in many cases the veteran has been helped to an extent beyond the scope of either fund alone. Assistance has often been obtained from the Canadian Legion or other veterans organizations. One unusual example was where the applicant's house required extensive repairs in order to make it satisfactory for use through the winter months. The local branch of the Canadian Legion organized a work party to undertake the necessary repairs so that the whole amount of the assistance could be used to supply materials.

District committees are familiar with the clinics and medical services available locally and are often able to obtain free medical care for dependents and so relieve the applicant of considerable financial worry.

The assistance fund has served as a means whereby veterans welfare officers have come to know more intimately the problems which face those on war veterans allowance. The individual attention that the recipients have received from welfare officers has been welcomed and many letters of appreciation for help given have been received by district officials. In a number of cases where it has not been possible to provide financial help within the regulations, encouragement and an interest in the applicant's problem has enabled him to obtain casual employment or to supplement his income from his own resources. It is, of course, impossible to estimate the value of these additional services and income from other sources but many District Assistance Fund Committees are of the opinion that such assistance is more important than the additional amount of cash that can be made available from the fund. Possibly a direct quotation from a report prepared by the secretary of one of the committees will help to illustrate the services which a district committee can provide. This is the quotation:

The reviewing of all files where monthly payments are in force is well under way, and while it is time-consuming, it is worthwhile because—

1. It is evident that needs are being met on an individual basis—a fact which is greatly appreciated by the recipients, according to the many letters now on file.
2. Scores of veterans have had medical attention since V.W.O.'s visited them.
3. The Assistance Fund (WVA) has made it possible for recipients to better their living conditions by moving to more comfortable quarters.
4. Widows and recipients' wives have been helped to use clinical services available to them.
5. Glasses and dentures have been supplied (from non-departmental sources) for widows and wives who otherwise would not have been able to secure them. (This is a health and morale builder).
6. (Provincial) Mothers' Allowance has been awarded (for children) in several cases where they had no idea of their possible eligibility.
7. In general, provincial and municipal authorities have co-operated. Many doctors have accepted payments of accounts at D.V.A. rates, or less.

V.W.O.'s report that recipients appreciate the Department's concern about their welfare.

The following statistics concerning the number of applicants, the number of persons assisted, and the total amount expended in the three fiscal years since the Fund has been in operation may be of interest

| <i>Year Ending</i> | <i>No of Applicants</i> | <i>No. of Veterans Assisted</i> | <i>Total Amount Expended</i> |
|--------------------|-------------------------|---------------------------------|------------------------------|
| March, 1950 | 10,200 | 7,815 | \$562,826.95 |
| March, 1951 | 9,774 | 8,665 | 731,822.75 |
| March, 1952 | 11,516* | 10,533* | 902,439.45* |

*Subject to correction.

The last three figures which I have given are subject to possible correction when all returns are in; but those are the most recent figures we have.

| <i>Year Ending</i> | <i>Receiving Maximum Allowance</i> | <i>Assistance Fund Recipients</i> | <i>Percentage Assisted</i> |
|--------------------|------------------------------------|-----------------------------------|----------------------------|
| March, 1950 | 17,817 | 7,815 | 43.9 |
| March, 1951 | 19,462 | 8,665 | 44.5 |
| March, 1952 | 21,332 | 10,432 | 49.4 |

The number of those receiving the maximum allowance was calculated by taking 56 per cent of the average number of recipients during the year.

The CHAIRMAN: Thank you, Mr. Patrick.

Now, gentlemen, that completes, at the moment, all the officials whom I propose to call at this time. I would like to say that in accordance with past procedure, for your information and for my protection, I propose to keep behind me throughout the meetings of this committee the gentlemen who have read these reports today; and as we may require them, other officials of the department who might be interested in the day to day discussions.

There are, of course, other statistical reports and other general departmental information which I suspect we will have to ask for from time to time. I did not propose to engage today in a general discussion of these reports

other than to say that if there is something in the reports which was not understandable to any member of the committee at the moment, he might ask for a clarification. And I propose when we conclude this meeting, to ask the steering committee to remain behind for a moment or two to discuss with me the applications of others who desire to be heard. I would like, now that it is proposed, in order to get on with it, to hear the representations of the Canadian Legion tomorrow morning at 11:00 o'clock when we will perhaps finish with them; and if we cannot finish in the morning, we shall then decide whether or not we need to sit in the afternoon; but we will clean them up tomorrow. I might say that the legion is having a convention right now and some of them are a long way from home.

On Tuesday afternoon next it is proposed to call representatives of the National Council. That ordinarily would have been on Monday morning, but since we are just beginning, I thought it would be your pleasure, as well to suit their convenience in bringing in one or two of our old friends on whom we rely for advice and information. Subject to your approval I propose to hold our meetings on the mornings of Monday and Friday. The committee work is exceptionally heavy this year and this committee seems to attract to it men whose parties require from them yeomen service on committees elsewhere; and I would like to have as full a representation as possible. I think we will be able to get the maximum attendance on Mondays and Fridays and I propose to arrange accordingly.

Before I give way to anyone who wants to ask for clarification of these reports, I might say that I did not propose to have a general discussion on them until we have got the rest of the evidence before us. Now, if Messrs. Brooks, Dickey, George, Gillis, Green, MacDougall and Quelch will wait for a few minutes after the meeting, I would like to decide on an agenda.

I think that silence gives consent; and the suggestion of the minister seems to meet with your approval, namely, that we proceed first by dealing with the War Veterans' allowance; and after we have heard representatives of those who wish to appear, if it is agreeable to the committee, then I think for the purpose of getting this information, so that you may have some of the background of the departmental thinking, we might devote a few minutes now to questioning the gentlemen who have made statements today.

Mr. MACDOUGALL: Did you say that the meeting planned for Monday morning was off until Tuesday?

The CHAIRMAN: No. I said we would hear from the Legion tomorrow morning, which is Friday, and that the next meeting which was proposed for Monday would be held on Tuesday afternoon, as to which the notices will go forward to the members. There is no meeting on Monday.

Mr. BROOKS: Mr. Chairman, with regard to any future or further information we might have, with respect to the main changes in the Act, there must have been some bases for making those changes. Will there be any information before the committee which will tell us what surveys, if any, were made, and on what these different changes in the Act have been based, and whether or not there has been a factual survey made of the situation, and whether or not these changes have been made on information that has been gained.

The CHAIRMAN: I sought to make that clear when I said that we were going to attempt, this time, before we come to a consideration of the bill, to do that. Officials of the department will be here, and as our practice has been in the past, we will question them as to the reasons certain changes are made, and on what it is hoped to achieve by those changes. There will be no restriction, shall I say, on the methods or procedures in committee. The practice adopted this morning is one which is an extension of something which has hitherto happened, namely, the government members on this committee

have usually said to the minister or to me: "What are you trying to do? Give us an idea before we start to work, of what the thinking was which lay back of these changes?"

I suggested to the meeting when we organized that we extend that informal conference into a regular meeting of the committee and let everybody hear what we have to say about this; and that is what we have done today.

Mr. BROOKS: Basic information, you mean.

The CHAIRMAN: Basic information which will be available to us before we begin a discussion of the bill.

Mr. MACDOUGALL: Mr. Chairman, I move we adjourn.

Mr. GREEN: Mr. Chairman, there are one or two points in Mr. Parliament's statement which I would like to get cleared up. I understood him to say that section 4 of the new Act would be administered in a way similar to the administration of the Out-of-work benefits which were paid after the recent war. Then he went on to say that the National Employment Service would be used, and I understood his statement to be that the veteran would get his War Veterans' Allowance from the National Employment Service and that that service would help him to get a job; and that in those months in which he did not make any money, he would go to the National Employment Service and receive payment from them; that is, in effect, get his War Veterans' Allowance from them. I may have been wrong, but that is the impression I got from the statement and I would like to ask Mr. Parliament to clear that up.

Mr. PARLIAMENT: Mr. Chairman, that was the intention. That is what the deputy has here and it was the intention, and after discussion with the Unemployment people the veteran would go to his closest office of the U.I.C. and report his earnings for the month, if he had any, and get his war veteran's allowance.

The CHAIRMAN: Might I interject here? I think it makes it clearer if you say "the veteran who elects to apply for war veterans' allowance under section 4."

Mr. GREEN: The idea is that the veteran must elect whether he wants to draw war veterans' allowance in the way in which it has been drawn hitherto or go under this section 4?

The CHAIRMAN: In effect that is what it means, yes.

Mr. GREEN: And in effect if he elects from that time he will come under the U.I.C. and will deal with the national employment service?

The CHAIRMAN: With only one exception, unless he gets sick or receives hospitalization, in which case he is going to have to come back.

Mr. GREEN: He will be drawing his war veterans' allowance from the national employment service?

The CHAIRMAN: He will be collecting it from that office. The committee will remember when we had out-of-work benefits originally we dispensed all the cheques for out-of-work benefits from our own offices and that was found to be cumbersome and led to delays and to some extent annoyance, so we worked out an arrangement with the regional board of unemployment agencies that they should handle that for us. Certainly from the administrative standpoint that worked out better and was to the benefit of the veteran himself. As Mr. Parliament has said, it is the intention of the department to take advantage of that somewhat simplified manner of handling the benefits under section 4.

Mr. GREEN: Then the Unemployment Commission would be recouped for what it had to pay by the Department of Veterans Affairs?

The CHAIRMAN: Yes, we pay the money, they do the work.

Mr. GREEN: Then, one other question. I understood Mr. Parliament to say that the amount that the man received during the month when he was unem-

played would depend on his total income for the year; in other words, he would not automatically get a full war veterans' allowance cheque for that month, but that there would be some computation made and I was not clear on how that would work out.

Mr. PARLIAMENT: Other income other than earnings and if you look on schedule B the amount that is paid under section 4 is based on monthly income, not on yearly income. That is one reason why schedule A and schedule B were separated.

Now, if he had income from pension that would be deducted on the monthly basis if the pension did not permit the maximum of war veterans' allowance. He cannot have more than \$60 a month income—\$720 a year or \$60 a month. Now, if he has a pension of \$20, he would get \$40 from the Unemployment Insurance Commission office, who are only working as our agents.

Mr. GREEN: That was the figure I meant and I did not understand how you arrived at the figure. In other words, if he had an income by way of pension—

The CHAIRMAN: As distinct from earnings.

Mr. GREEN: —of \$20 a month, then he would only get \$40 during the months that he was not earning?

Mr. PARLIAMENT: That is right.

The CHAIRMAN: He gets no advantage over the man under section 3 except this: if he elects under section 4 there is no ceiling on what he earns in the months that he is employed; and it is hoped that this will be an inducement to him to take employment—because he can substantially benefit himself.

The most significant figure we got today was a figure in one of the briefs which indicated that 46 per cent of the recipients of war veterans' allowance are under 60 years of age.

Mr. GILLIS: Does that include women?

The CHAIRMAN: Yes, but I still say that even taking into account the more than 3,000 World War II coming in, or even with the 8,000-odd widows included, it is rather a startling figure.

Mr. GILLIS: What is the average age of war veterans of the first war?

Mr. PARLIAMENT: Around 61; and incidentally about what you were just mentioning the proportion of veterans themselves over and under 60 is just about fifty-fifty. There is hardly a fraction—a few hundred in the total.

The CHAIRMAN: It is interesting* to note that the average age of the recipients in 1948 was just about 61.

Mr. GREEN: I do not think Mr. Parliament's statement dealt with one other feature of this section 4. What would be the position of a veteran who is a fisherman and works, say, for a certain number of months each year? Would he then be eligible to draw the allowance for the remaining months of the year or just what is his position?

The CHAIRMAN: Is fishing a seasonal occupation?

Mr. GREEN: It says he must be unable to maintain himself by following his former ordinary occupation.

The CHAIRMAN: But he might be able to get seasonal work. That is one of the things we will have to chew over here, but I would say it would hinge on whether fishing is a seasonal occupation.

Mr. MACDOUGALL: Some fishermen are making more than you are.

Mr. GREEN: Has there been any—I suppose there has been thought given to the interpretation of these words, "the taking of light employment or intermittent employment"?

The CHAIRMAN: I think we have said seasonal, light or intermittent; in other words, they have tried to include in the drafting everything except subsidizing the guy on the job he has always had. It is an attempt to do that, to broaden it. I cannot stress too much—

Mr. GREEN: Would seasonal employment be included?

The CHAIRMAN: It is mentioned.

Mr. GILLIS: May I ask you, these veterans who elect to take the allowance under section 4, while his allowance is computed on a monthly basis, would he still come under the yearly allowance of \$1,200?

The CHAIRMAN: In income, yes, but not for earnings.

Mr. GILLIS: Supposing he works four or five months of the year and he earns over \$1,200, then he is unemployed but has not established the benefit of unemployment insurance, then he makes application for veterans' allowance. Isn't he debarred then because he is over the ceiling or up to the ceiling of \$1,200 a year?

The CHAIRMAN: I will ask Colonel Lalonde, associate deputy, to answer that.

Mr. LALONDE: I presume that the case you are mentioning, Mr. Gillis, is the man who is coming in to apply under section 4. Everything that he has done before is not taken into account provided he qualifies under section 4. So if he has earned \$1,200 in those four preceding months and he comes in and says, "I qualify under section 4," what he did before makes no difference.

Mr. GILLIS: Providing he qualifies and draws the allowance from January until June and then he receives a couple of months and then in June or July he secures employment for three or four months and during those three or four months he goes over the ceiling that is permitted for the year and then he applies again for war veterans' allowance, does not that debar him?

Mr. LALONDE: There is no ceiling, Mr. Gillis, for earnings. There is a ceiling for income applied in this fashion, that if the man is getting super-annuation that is called other income, or if he has income on bonds that is other income. There is a ceiling on that particular type but if the man that you mentioned works for two months, having been under section 4 for the two previous months and makes, let us say, \$500 in those two months, that is only applicable to those particular months. When we are taking him on again after those two months he is eligible for the maximum.

Mr. GREEN: What about a small pension?

Mr. LALONDE: That is other income. That is the distinction between other income and earnings; it hinges on that.

The CHAIRMAN: Gentlemen, I do not think we can hope to elaborate much further on this.

Mr. MacDougall moves we adjourn.

Carried.

The CHAIRMAN: Will the steering committee wait a minute, please?

The committee adjourned.

EVIDENCE

MAY 9, 1952.

11.00 a.m.

The CHAIRMAN: Gentlemen, I see we have a quorum. Before we proceed to the business of the morning I want to report to the committee.

Your subcommittee on agenda and procedure met on Thursday, May 8, 1952, and agreed to recommend:

1. That representatives of the Canadian Legion be heard on Friday, May, 9, and of the National Council of Veteran Associations in Canada on Tuesday, May 13.
2. That the president and secretary of the Federation of British Canadian Veterans of Canada and the president and secretary of Canadian Non-pensioned Veterans' Widows be heard on Friday, May 16.
3. That, following the practice adopted by the Veterans Affairs Committees in the past, the committee do not investigate individual cases; and that it consider representations from veteran organizations only when submitted by their Dominion Commands.

Those in favour of adopting the report of the steering committee?

Carried.

It is my pleasure, having just glanced over the top half of my glasses a moment ago, to draw to the attention of the committee that we have with us as a visitor this morning—and this is highly irregular—someone who sat here in an official capacity through all the years I have been here and some of the others. Now that gentleman has retired and is no longer responsible either to the Department of Veterans Affairs or anybody else. I think the committee would like me to express their pleasure that we have in the audience today one Walter S. Woods, former deputy minister of this department and a friend of every person on the committee. If that does not get us off to a good start nothing will.

The business of the meeting this morning, gentlemen, is to hear the representations of the Dominion Command of the Canadian Legion and it is a matter of pleasure I know to all of you, and to me personally, that we are to hear the representations this morning from the head of that organization, our good friend Alf. Watts. He is here with some of his officials with whom you are familiar and no doubt if he gets off the track they will correct him.

The tradition of a partnership in veterans' affairs between the Legion and the Department of Veterans Affairs, who are charged with the administrative responsibility as well as the initiation of policies, has been long and close and while succeeding governments and the Department of Veterans Affairs have not always been able to see eye to eye with the representatives of the Dominion Command, there has been a long history of co-operative effort which I am happy to see continuing and I know that you are.

I assure the dominion president that this morning we will be attentive and interested in the views which they want to put forward.

Mr. A. Watts, Dominion President, Canadian Legion, called:

The WITNESS: Mr. Chairman, just before I commence the brief which is before the committee, I would like to re-echo your words and say that so

far as the Canadian Legion is concerned we have always welcomed the partnership that we have enjoyed with the department and we look forward to a continued partnership over the years that lie ahead.

Now, Mr. Chairman, with your permission I will go ahead with the brief.

"Mr. Chairman:—

1. It is once again our privilege as representatives of the Canadian Legion to appear before a parliamentary Committee on Veterans Affairs. We count this a privilege because we know that such committees composed as they are of ex-service men have insured that the veteran and his dependents have not gone unfriended in high places.

2. There is no better illustration of this than that the committee of a year ago saw fit to recommend to parliament that the government give further consideration to representations that the basic rate of pensions for all pensioners under The Pension Act should be increased. Although that committee was not empowered by its terms of reference to deal with pensions, nevertheless its recommendations did indicate to parliament the need for a basic increase, and the result, as we all know, was that a very substantial increase was granted.

3. Thus it is pleasant to appear before you once again knowing that we are all together in our desire to insure that Canada deals fairly with the Canadian veteran and his dependents.

4. I might mention, Mr. Chairman, that I have noted some suggestions in the House of the possibility of further legislation affecting veterans. Should that be the case I presume that such legislation also will come before this committee and should the Legion wish to make representations, I trust that we will be allowed to do so."

The CHAIRMAN: You will.

The WITNESS: I realize that only the one bill on war veterans' allowance was dealt with by the committee yesterday, but I think the thing for the Canadian Legion to do at this time is to rely on material before the committee and to comment on the other bills which no doubt you will be dealing with in the next week or two.

The CHAIRMAN: That is good.

The WITNESS:

"BILL 181

5. I should like now to make some direct comments on Bill 181—an Act Respecting Allowances for War Veterans and Their Dependents. I understand that section 3(1) (a) of Bill 181 has already been amended or is in the process of being amended, to read "sixty years" rather than "sixty-five". This decision of the government is most gratifying to the Canadian Legion because we did feel that had the figure "sixty-five" remained unchanged, a very important basic principle of war veterans' allowance would have been lost. Indeed our presentation today is based on the assurance of the minister in the house this week that this amendment will be made.

6. In view of this amendment to section 3, we presume that there should be some amendment to section 4, possibly by the addition of a further subsection, to indicate that the veteran may elect to go under either section (3) or (4). The terms by which he can transfer from one section to the other should also be clearly stated in the Act."

I might just say here that we have taken the liberty of indicating views which may not be followed when the deputy minister explains further the

statement that was read by Mr. Parliament yesterday, but we felt that not having had the opportunity of discussion on that point we should make our point as we went along.

"7. The effect of section 4, as we understand it, is to encourage the older veteran to take part-time work by placing his war veterans' allowance payments on a monthly rather than an annual basis. The Legion is wholeheartedly in favour of the employment of the older veteran when that is feasible and indeed is doing considerable research in this direction. As we shall attempt to show in some detail later on a very much broader group of veterans could be encouraged to seek employment if in addition to this the over-all ceiling of permissible earnings were raised substantially. Certainly it is of no assistance at all—I am referring now to section 4—to the veteran with no income other than war veterans allowance, or to the veteran with a moderate income insufficient in itself for maintenance.

8. We note under section (6)—Exempt Income—that the explanation on the opposite page states that the exemptions are reserved intact from section (13) of the present Act. However, on examination item 13(j) of the present Act providing for \$25 per annum unearned income does not appear in section (6) of the bill. We recommend that this provision be retained and the amount doubled in view of the depreciated value of the dollar.

9. We would draw the committee's attention to section 19 of the bill. This goes much further than subsection 3 of section 25 of the present Act. Under that section of the present Act the Department of Justice has ruled that D.V.A. cannot recover where there has been no fraud on the part of the recipient. Insistence on repayment where there has been no fraud would work great hardship. We therefore recommend that the clause as it now stands in the present Act be retained.

10. We would also like to draw attention to section 21(b) of the bill. This would also appear to go considerably further than the corresponding section of the present Act and would allow, for example, the D.V.A. investigator's report to be used as prima facie proof of any claim made by the department. We feel that this is contrary to recognized procedure and that the subsection should therefore be deleted.

11. Finally in respect of the bill, we would draw attention to section 31(4) which would appear to retroactively validate claims for overpayments by the department which resulted from other than fraudulent misrepresentation or wilful non-disclosure under the present Act, and as I have already stated, the Department of Justice have ruled that such recoveries cannot be made.

RATES AND CEILINGS

12. We should now like to deal with the matter of war veterans' allowance rates and ceilings. The Legion is aware that this is an extremely difficult problem. It appears from the legislation before you, that the government in suggesting rates and allowances has been influenced to some extent by legislation in the field of social assistance. However, we would strongly suggest that this proposed legislation affects men and women who have served this country honourably and well in time of war. It is not unfair to say that if Canadian citizens had not served in the past two wars, as indeed they are serving today in Korea, Canada might not now be enjoying the period of stupendous expansion and industrial prosperity which we all know of, and which we are all repeatedly reminded of by those more competent to advise

than ourselves. In the face of these facts it does seem a hard thing if we cannot give proper protection from want to those who made this prosperity possible.

13. The bill before this committee dealing with the revision and consolidation of the War Veterans' Allowance Act represents some measure of improvement over the existing Act, but the Canadian Legion feels that a retrograde step has been taken in proposing the reduction in permissible income from other sources to \$120 a year for both single and married veterans instead of the previous \$125 and \$250. An increase, not a reduction, seems indicated.

14. Even if you assume that the original intention of the Act was not to provide full maintenance but reasonable assistance, it should naturally follow that the Act should not by its own provisions make it impossible for the veteran to supplement the allowance and bring his income up to a reasonable subsistence level. Yet that is precisely what the proposed ceiling on permissible income does. Over a year ago we produced figures which indicated that it costs in excess of \$90 a month for the single man and in excess of \$150 a month for a married man to live. At today's index the estimates would be somewhat higher. Yet the provisions of the bill itself make it impossible for section (3) W.V.A. recipients to receive more than \$720 total income in a year if single, and \$1200 if married. These restrictions do not apply to the individual in casual employment or one who comes under the monthly rate of payment as provided for in section (4) of the proposed bill and that is good.

15. However, let us consider the following groups who cannot benefit in a similar manner from section (4) of Bill 181.

16. First—there is the individual not physically able to do a full day's work. He may be competent, or with his wife be competent, to handle a part-time job such as janitor of a school or church, watchman, or some other work which provides regular employment but the labour is light and the pay is small.

16. He cannot qualify as a casual labourer for his earnings are regular, his income from this work may be smaller than W.V.A. alone would give him, and neither earnings nor W.V.A. taken separately is sufficient to support him. A quotation from a letter we received from Alberta will make clear the type of case we want to help—the letter is from a woman who says her husband is suffering from diabetes and unable to work normally. We quote:

Whilst my husband was in hospital our minister offered us a three-room house with light and water and \$50.00 per month. I told him we could not accept the salary, but would be glad to accept the house and light free in exchange for caretaking of church property—but that we had better consult the W.V.A. Board first. We have just received the letter tonight and believe it or not, if we take this house and light and donate our work to the church the W.V.A. will deduct the rent value from his allowance.

I am quite sure the members of this committee will sympathize with the lady when she exclaims, "In the name of God, what kind of a system is this."

17. In addition to recipients who can do work such as this there are families who, finding it impossible to live on W.V.A. and the husband unfit for work, the women have to go out to work, and this at an age when that certainly should not be required of them, to earn enough to keep the home going. Meagre as their earnings seem to be they are more than W.V.A. would bring but not a great deal more. Here the husband has a heavy psychic burden as well as his physical disability to bear.

18. Then there are individuals, thrifty and provident, who over the years have earned for themselves a small retirement pension of \$25 or \$50 per month. Not enough to live on, but enough to be a very great help if W.V.A. were permitted to bring their income up to a subsistence level.

19. Finally, there is the disability pensioner, who is entitled to W.V.A. The last pension increase he received did him no good for he suffered a corresponding decrease in W.V.A. Many of these men find their war wounds an increasingly grave handicap and these, coupled with other physical disabilities, may make them completely unemployable. Under the proposed legislation a 50 per cent disability veteran, if married and totally unemployable, could get but little assistance under W.V.A. The single man none at all.

20. I have outlined to you just a few of the cases that have come to my attention. I am sure that there is not a man in this room who is not well aware of similar and even more difficult situations, and for every one or two that you or I know of, there are thousands more like them across Canada.

21. In all these cases, if the ceiling on permissible income were raised it would allow these individuals to achieve a subsistence standard of living. Instead of the meagre maximum permissible income proposed in this legislation we would recommend that the ceilings be raised to \$1,200 for the single man and \$2,000 for the married. These are in line with generally accepted welfare standards.

22. Our next recommendation is that the basic rates be increased to \$60 and \$120 a month instead of the proposed \$50 and \$90. We are aware of the difficulties of determining what could be considered reasonable assistance, but if we are to judge from the expressed feeling of Legion branches all across Canada there is a general consensus of opinion that present rates are inadequate and that the proposed increases are not great enough. There are too many who have no other means of support and for these the proposed rates are too low.

23. In this matter we are reflecting the sentiments of our branches across Canada. \$60 and \$120 would seem low for full sustenance, but they appear to represent what our membership regard as a reasonable compromise between the need of assistance and the need of full support.

24. We should also like you to consider the position of dependent children of recipients of war veterans' allowance. At the present time where both parents are living these children receive no assistance other than family allowance. The important thing to you and me is that these children are not getting a fair break in their early years, and certainly this will react to the detriment of both the children and the nation in the years that lie ahead. We recommend that additional allowances to children be provided under the Act.

25. There are some other specific recommendations in connection with W.V.A. which we wish to place before this committee.

(A) As the Canadians serving in World War II in England only have been granted the privileges of W.V.A., we feel that the same concession should be made to those who served in World War I and recommend that Canadians who served in England only in World War I be entitled to W.V.A.

(B) We recommend the entitlement for W.V.A. of widows of allied service men who have lived twenty years in Canada, but whose husbands, otherwise eligible, died in this country before completing the qualifying period.

(C) There are a number of Canadian veterans residing outside of Canada but otherwise eligible for W.V.A. and it is felt that they should be given the same privileges, although residing outside of Canada, as are now granted to those resident within the dominion.

I might explain, Mr. Chairman, that statement should be qualified to the extent of the addition of a further qualification that the war veterans allowance would only come to them if they were not entitled to social assistance in the country in which they were residing.

The CHAIRMAN: That would include Great Britain, is that what you mean?

The WITNESS: Yes, and in some cases in the United States some get it and some do not, I think.

“(D) We also recommend that exemption be raised to \$9,000 assessed value of the home of a veteran making application for W.V.A.

26. Now, Mr. Chairman, I would like to deal with the proposed amendments to the Pensions Act and also I would like to make some representations not covered by the proposed legislation, but which we feel should be considered by the Committee, and if deemed proper, recommended to the House.

BILL 184

27. Sec. (1)—*Clothing Allowance*

The first matter that I wish to deal with is contained in Bill 184—an Act to Amend the Pensions Act—Section (1) which covers the matter of Clothing Allowance. We do not feel that the present suggestion of an increase made by the Government is sufficient. We are well aware of many cases of amputations where excessive and unreasonable wear of clothing does occur due to the nature of the amputation. We appreciate that it is a most difficult thing to strike an exact formula, but we also feel that as the amount of money involved is not large, and the class of pensioner one of the most deserving in Canada, that every consideration should be given to a reasonably generous allowance. In that connection we understand that the organization directly interested, which I believe will appear before you next week, will make representation that the allowance should be \$125.00. The Canadian Legion would most strongly endorse their recommendation.

28. Sec. (2)—*Dependent parents*

Section (2) of bill 184 deals with dependent parents. In the year 1948 when the pension increase was granted an increase was also given to dependent parents proportionate to the over-all increase, but in 1951 the dependent parents were not included in the 33½ per cent increase.

29. We are glad to note that the allowance for the second parent is being increased from \$15.00 to \$25.00. However, it is obvious that a dependent parent is in a similar position insofar as the cost of living is concerned as the widow of a veteran. We, therefore, recommend that the basic rate to be paid to one dependent parent be \$100.00 a month, and that such increase be paid automatically without further application.

30. *Children of pensioners*

We note that no provision is made in bill 184 for an increase in allowance on account of the children of pensioners. This group did not receive the increase granted last year and therefore the pensioner with children did not receive an over-all 33½ per cent increase.

31. We very strongly recommend that consideration be given to granting the increase of 33½ per cent for the children of disability pensioners. As a matter of fact we had anticipated that the increase would be automatic when the pensions were raised last fall.

32. We would respectfully call the attention of this committee to the fact that the recent increase in pensions applied only to lower rank, and we ask

that the whole matter of pensions for the higher ranks and their dependents be reviewed to see if, in the light of today's costs, their pensions should not receive a corresponding increase.

33. *Veterans' Insurance Act*

I would like to comment, Mr. Chairman, on the Veterans' Insurance Act, particularly as to limitation of benefits. Under section 10 (1) of that Act when a person who has been insured dies, if his widow or beneficiary is entitled to a pension, a deduction is made from the amount of insurance paid. It is felt by the Canadian Legion that this is an unfair principle and that some change should be made.

34. We recommend that section 10 be deleted or so amended as to provide that no reduction in the amount of insurance payable under the Act be made because of any pension paid under the Pension Act or other legislation referred to in section 10. It should be pointed out that if the insured had been insured with a regular company there certainly would be no deduction of the nature of that set out in the present Act. Veterans' insurance is completely divorced from pensions and is self-supporting and the protection should be as a matter of right.

35. Mr. Chairman, this concludes the submission which the Legion wishes to lay before this committee at the present time. We thank you, and through you the committee, for the consideration that has been shown. We know that the committee will give our representations every consideration. We feel that everything that has been raised is vital to the welfare of the Canadian veteran, and we hope that in the adjustment of the conditions which we have pointed out, parliament, and with it the Canadian public, will once again have honoured the unwritten undertaking".

Thank you, very much.

The CHAIRMAN: Gentlemen, I know that you would want me to express to President Watts our appreciation of his presentation this morning; and I do convey to you, Mr. Watts, our appreciation which you have sensed from the applause you received when you sat down.

In accordance with our general practice when we have the officers of the dominion command before us, it has been customary to permit the members of the committee to question those who have presented the report, and we will follow that practice now. If any of you wish to question Mr. Watts with respect to any of the items in his brief, this is the time to do it. We do not, of course, in committee, go beyond the question of interrogation at this moment. We will reserve our resolution on the matter until we have heard all those who desire to be heard. The meeting is now open for questions. I am going to ask one question, if I may, while somebody else is thinking of one.

By the Chairman:

Q. On page 12, paragraph 32, you suggest that the whole matter of pensions for the higher ranks and their dependents should be reviewed to see if, in the light of today's costs, their pension should not receive a corresponding increase; that is certainly the least positive of the suggestions heard from you. I was wondering if the Legion as such was prepared to recommend an increase at that level, or if your recommendations stop there with the need of further investigation of it?—A. I would think, Mr. Chairman, that we would not wish to make a definite recommendation, but we do feel that the matter should be reviewed by the committee. As I think all the committee members will be aware, the senior ranks have received no increase in pension either at the time of the 1948 increase or the increase of last November; and I certainly know,

and I am sure that many of you do, cases where very definite hardship is resulting; and we, therefore, have put the suggestion in as a matter which I think we would certainly appreciate having the committee consider.

The CHAIRMAN: Thank you, are there any further questions?

By Mr. Green:

Q. What is the attitude of the Legion with regard to the war veterans' allowance assistance fund?—A. I think the position there is as follows: first of all I would say there is no doubt that the fund in the actual money that has been made available over the last three years has done a lot of good and has been available where it has been most needed; but the difficulties that we see in the fund are as follows: in the first place, it does not come under the Act at all, it is simply a vote each year to the department to administer; it can be carried on indefinitely, but, on the other hand there is no certainty to it at all. Furthermore, it very definitely does involve an additional means test for those who apply to that fund; and, by the nature of the set-up of the fund, I presume that is inevitable, that you do have to have a means test; nevertheless, there are undoubtedly many cases of men who will not come forward and subject themselves to that situation all over again.

Q. How do you suggest that should be handled?—A. I would suggest that if the government were prepared to recommend or to accept our suggestion of the \$60 for a single man and \$120 for a married man that this fund would then no longer be needed.

Q. In other words if your request for the payment of \$60 to a single man and \$120 for a married man was granted then you no longer want the assistance fund?—A. That is right.

By the Chairman:

Q. Might I ask a question on that? Is there anything in your organization—or rather our organization—which suggests that there is something inherently wrong about the means test? Are we taking the position in the Canadian Legion that there is something improper about applying a means test to the distribution of public money? One gets the general impression that when we talk about a means test we are talking about something unclean; is that the thought in your organization?—A. I can assure you that our organization is very definitely opposed to the means test, not only on the special assistance fund but also so far as war veterans' allowance is concerned. When I say that I mean that many of the members certainly take that view. And now, I am certainly not suggesting that the means test should be removed from war veterans' allowances proper, but I am suggesting that the special assistance fund sets up an additional means test. A means test is not a desirable thing in any event, and I think we all agree to that; and in connection with this assistance fund it seems to us to create an additional test.

Mr. DICKEY: As the Chairman has used the words, "in our organization"—

Mr. LENNARD: What do you mean by "our organization"? There are other organizations which will appear before this committee in the near future and I think we better stay put and confine ourselves to our duties here as members of parliament, as members of this committee.

The CHAIRMAN: Perhaps I started it by the reference I made a few moments ago. As my friend suggests, perhaps we had better stick to our positions as members of parliament on this committee.

Mr. LENNARD: I think it would be much better for you to stick to your job.

The CHAIRMAN: I think the members of this committee are anxious to know the thought, as I am, of the Canadian Legion; because while I have not

found it conflicting with my duties here I am an interested member of that organization and proud of it. And now, in saying what I did, let me assure you that I am not interested in any particular organization. I am interested in obtaining the views of all; but as we have the Legion before us today that is why I said what I did; and I am sure that Mr. Dickey meant the same thing. I will apologize to Mr. Lennard, and also on behalf of Mr. Dickey—although he does not need it—but I will not withdraw my membership in the Legion.

MR. DICKEY: Neither will I, although I may have put my question in personal terms. In other words what I mean is this: the Legion does recognize that some sort of means test is an integral part of any kind of assistance such as war veterans' allowance?

The WITNESS: Yes, I think that is correct.

By Mr. Brooks:

Q. Mr. Chairman, I would just like to ask a question relating to page 12 of your brief. In saying what you do there, are you expressing the feeling of the Legion branches all across Canada? There is a general consensus of opinion that such rates are inadequate?—A. What paragraph?

Q. Page 8, paragraph 22; that is the recommendation for \$60 a month for single men and \$120 per month to all married veterans. I understood that your organization made a survey and investigated many cases. Does this not express the feeling of the Legion branches? Is it not a fact that you base these amounts of \$60 for a single veteran and \$120 for the married veterans on a survey that was made by your organization?—A. I do not think it is fair to say that it is a survey, sir. We are basing the \$60 and \$120, as I said in the brief, on the opinions of the branches; and, also on our own experiences from our service bureaus all across Canada.

Q. As I remember it—did not the Legion have a number of cases which they referred to as a, b, c, d, e, f and so on?—A. That is correct.

Q. And those were cases that had been reported to your organization and had been investigated?—A. That is quite correct; we took them as examples of the general situation.

Q. And you considered them average cases, did you; or, were they extreme cases?—A. I think for the class of person who could not get over the ceiling of W.V.A. and could not get under this new section 4 that they were reasonably average cases.

Q. There are many cases similar?—A. Yes.

The CHAIRMAN: You say they are average for a particular group but they are not average for the whole group of W.V.A. recipients? You did not make a general survey nor did you suggest that they be given general application?

The WITNESS: No.

The CHAIRMAN: I did not wish to question it.

MR. BROOKS: But some were better and some were worse, no doubt.

The WITNESS: But within the limits of the present ceilings, and particularly within the limits of people who are unemployed, I would say that these cases were average cases.

By Mr. Green:

Q. At the top of page 3 you say, about section 4, it will be of no assistance to the veteran with no income other than the war veterans' allowance, or to the veteran with a moderate income insufficient in itself for maintenance. Can you give us one or two examples of the veterans you have in mind in that second group?—A. Well, yes. You mean, the veteran who has not sufficient income for maintenance?

Q. Yes.—A. That is a man who can do a little bit of work but he cannot do enough to get over the ceiling of the monthly war service allowance in section 4 so he is going to have to live on his present war veterans allowance.

Q. That is if he cannot earn \$60 a month. You mean, if the man earns more than \$60 a month he cannot receive this \$60 war veterans' allowance? —A. Yes.

Q. What is the attitude of the Legion toward the proposal that veterans who elect under section 4 should deal with the Unemployment Insurance Commission rather than with the Department of Veterans Affairs?—A. Well, on that point, Mr. Green, I am in this position. I did not see the bill until Saturday last and there has been no opportunity to get any opinion, nor am I entirely clear yet just how this will work out through the department and through the Unemployment Insurance Commission; but I would say I think we all have to realize the administrative difficulties that have to be met in any proposition like this—and just so long as the recipient of war veterans allowance is protected under all present ancillary emoluments and receives—

The CHAIRMAN: Treatment and hospitalization and that sort of thing?

The WITNESS: Yes... I do not think we can complain as to the method by which the government decides to pay him his war veterans allowance.

Mr. GREEN: I ask that question because I imagine in Vancouver, for example, the war veterans allowance recipient will not think very highly of having to go to the employment service office and wait around there as a civilian and in fact be treated as a civilian rather than a veteran. Until the present he has done all his business with the Department of Veterans Affairs but in future he will not be dealing with the Department of Veterans Affairs very much; most of his dealings will be with the Unemployment Insurance Commission. I just wonder about that?

The WITNESS: That is true, Mr. Green; but as I understand it the man may elect to go under either section (3) or (4). If he is under (3) I would assume he still deals with the department and receives his pay from the department. If he elects to go under (4) he does that in order to make considerably more money than he would under (3) as a straight recipient of war veterans allowance.

If this legislation is going to have the effect of making or permitting a considerable group of these veterans to receive more income, as I say I would not pretend to quarrel with the method of payment, as far as I can see at the present time.

The CHAIRMAN: May I interrupt, and if it is a fair question, to ask if you had in Vancouver—and if you did not I will take it that we did not have it anywhere else—any particular complaints about the payment of out of work allowances when they were switched over?

Mr. GREEN: I do not know of any, Mr. Chairman, but I think the position is different because here we are dealing with much older men. The veterans who went for out of work benefits were young men from the recent war but now your plan will involve older men having to go to the employment service where they will get into the stream with thousands of other men. I think there will be some difficulty as a result.

The CHAIRMAN: Well, we will deal with that when we come to it.

By Mr. Herridge:

Q. Mr. Watts, since the end of the second war there have been veterans officers, I think they are employees of the Unemployment Insurance Commission—and their status is somewhat ambiguous in that they receive general instruc-

tions from D.V.A. and local instructions from the employment service office—but they have been of great assistance to veterans. However, I find there is a tendency on the part of the Unemployment Insurance Commission to say that the work of those men is getting less and less not so important, and that they want them to do more Unemployment Insurance Commission work. A great deal of their time is being consumed entirely in that work.

Now, Mr. Watts, in view of the amendments proposed in this bill, would you say it would be advisable for those veterans officers to be continued or their facilities used to the full extent, in view of the situation mentioned by Mr. Green?—A. I would definitely presume, regardless of how it is done, that the position of the older veterans as was more or less indicated a few moments ago would be made no more difficult as a result of this legislation, and that whatever facilities were necessary to accommodate them—whether it be under the Unemployment Insurance Commission or the Department of Veterans Affairs—would be available.

Q. My point is this. That official is there and he is called a veterans officer. He is actually an employee of the Unemployment Insurance Commission and his particular work, up until eighteen months or a year ago was dealing with veterans and handling war veterans allowances, pensions, and assisting them generally. Do you not think that the older veterans problem would be better understood if the veteran was dealing with those veterans officers rather than say an official of the Unemployment Insurance Commission who does not have the knowledge of veterans affairs and is not possibly as interested in veterans affairs?—A. Yes, I certainly would.

The CHAIRMAN: Mr. Herridge, do you not think it sufficient if Mr. Watts insists, as he has every right to do, that in carrying out the administrative processes adequate facilities should be provided to meet the situation. I do not think that he would want to direct the Department of Veterans Affairs as to how they should do the job which they have to do but he will try to see that they do it. Whether it is done by changing the status of personnel employed by the Department of Labour or supplementing them does not matter—so long as he makes the point. I suggest that you are inviting him to suggest administrative processes—something which he would not want to do.

Mr. HERRIDGE: I am asking the witness questions and I do not want them answered by the chairman.

The CHAIRMAN: I am not going to answer but Mr. Watts is entitled as is any other witness, to the protection of the chair?

The WITNESS: I think I have made the answer I would stand by in any event.

Mr. MACDOUGALL: With respect to the question raised by Mr. Green, as to veterans handling being thrown into the hands of civilian employees—

The CHAIRMAN: Speak up, we cannot hear you.

Mr. MACDOUGALL: Is that an all-persuasive argument? Is there not something to be said for the fact, and correct me if I am wrong, that this system suggested, getting their payments from the Unemployment Insurance Commission, is going to speed up results—as far as the veterans who have been possibly for two weeks employed and then for two weeks unemployed in the months? He is going to get quicker results as far as the return of money is concerned under this system than he would under the old?

The WITNESS: I cannot voice an opinion on that because I must say I am not clear on the administration set-up, and I do not know whether the department is entirely clear on it until they have established their bill.

By Mr. Jutras:

Q. Let me put it another way. Is it not the main purpose of this change to expedite matters?—A. No, no. The main purpose of the change, as I understand it, is to put a man on a monthly rather than a yearly basis for receiving his war veterans allowance, and his ceiling, his war veterans allowance ceiling, will be for one month and it will be finished; and then he goes on to the next month with a new ceiling. The result is that a man might earn \$300 in one month—

Q. No, I did not mean that. I did not mean the change in the Act, I meant the change of getting the Unemployment Insurance Office to issue the cheque and not the change in the Act. Isn't that the idea of having the matter dealt with locally at the unemployment office instead of it being dealt with from Ottawa, let us say. It is not merely a question of expediting the issuance of the cheque to the individual?—A. I would think, with respect, that General Burns is much more able to answer that question than I am.

The CHAIRMAN: I suggest that this morning we confine our questioning to the witness here; and we will have ample opportunity to ask officers of the department including the deputy minister to explain his thinking in proposing this—when we come to discuss it.

By Mr. Dickey:

Q. Mr. Chairman, perhaps the witness would agree with this? The Legion at the moment has no objection to an administrative proposal that appears to have some prospect of achieving administrative economy and efficiency?—A. You are asking me to make quite a statement there, because I received this bill as I said only last Saturday in Vancouver. I have had no explanation of the very point that was just raised by the last questioner.

Q. No, but I said "at the moment"—A. I cannot answer that right now.

Q. I said: "At the moment you have no"—A. I do not think I can answer the question one way or the other.

Mr. QUELCH: Mr. Chairman, if I remember correctly, in the brief submitted by the Legion last year they differentiated in their recommendations regarding the basic rate of pension or the basic rate of allowance and the rate for those men who were physically incapacitated. I believe they recommended that there should be a higher rate for the veteran who was physically incapacitated. I think the recommendation was \$50 and \$100 as a general rate and \$60 and \$120 for those who were physically incapacitated.

In this brief I see that you have bunched them all together. You are not making any recommendation. Are you doing that because you feel the \$60 and the \$120 should be the basic rate and, on the other hand, you will welcome a higher rate for those who are unable to work?

The WITNESS: I don't suppose we are ever going to refuse to ask for more.

The CHAIRMAN: I think that will carry unanimously.

The WITNESS: But the position is this: Under this new section 4, Mr. Quelch, we see what looks to be considerable assistance to the men who can do some work. Therefore the personnel or the men who are left are the people who cannot work, and therefore they are all, so to speak, in one class for one reason or another. That is the reason why we are adhering to the \$60 and the \$120.

Mr. GILLIS: I would like to ask Mr. Watts a question on something that he did not comment on in his brief. It goes back to the application of that means test again.

The CHAIRMAN: This is your chance.

By Mr. Gillis:

Q. You have said nothing here about the position of a recipient of war veterans allowance, a compassionate or dependent pensioner who reaches the age of 70. When they receive the \$40 a month old age security that is deducted from their war veterans allowance or deducted from the amount they are paid as a compassionate pensioner. Do you not think when they reach the age of 70 and secure that old age pension as of right that it should be treated as other income and eliminated as a means test under either the pension or the War Veterans Allowance Act?—A. I think you will find the answer to that in our request for a raise in the ceiling. That would, to some considerable extent, meet the suggestion you are now making, and I think you would agree with that.

Q. It will be deductible, based on the means test?—A. True, but if you get your ceiling up to \$1,200 and \$2,000 then you are up into the minimum subsistence level.

Mr. BROOKS: Supposing you do not get the ceiling up. Would you make that as a recommendation—that it be considered as income?

The WITNESS: Quite frankly I would think that if we did not receive or if the committee does not decide to recommend to the government that the ceilings be raised substantially then the question you have just raised will inevitably come up.

The CHAIRMAN: That is a tactful answer, that one.

Mr. THOMAS: In your suggestion of the monthly basic rates of \$60 and \$120 per month, are those dependent upon the allowance of \$1,200 or \$2,000 that you suggest? In other words, if you suggest \$60 and \$120 a month, are those dependent upon the increased ceilings that you recommend?

The WITNESS: I do not think they are absolutely dependent but in a sense they are. I think they should go together; particularly from the point of view of the disability pensioner. The disability pensioner, as the committee knows, did not receive much advantage from the $33\frac{1}{3}$ per cent pension increase—that is the man who is also on war veterans allowance—because the increase was taken off his war veterans allowance.

The CHAIRMAN: Except that they get it as of right?

The WITNESS: He gets his pension as of right but he did not get any increase in money which is also important. Therefore, I think the \$60 and \$120 and the \$1,200 and \$2,000 should march pretty well together.

Mr. THOMAS: More or less interwoven.

The WITNESS: That is right.

Mr. GREEN: Mr. Watts, we were told yesterday that a large number of recipients of war veterans allowance are under 60 years of age. Of course, that includes widows of veterans.

This section 4 has an age limit of 60 and over, so that it is of no help whatever to the recipient who is under 60. Has the Legion any comment on that point or are you satisfied that the veteran must have reached 60 before he can get any benefits under section 4?

The WITNESS: I would like to ask, as a matter of information, a question first of all. I took a note of those figures when Colonel Garneau, I think, gave them yesterday and I was surprised at the number I understood from him who were under the age of 60.

The CHAIRMAN: It was 46 per cent.

Mr. GREEN: Nearly 50 per cent, I think it was.

The WITNESS: How many of those would be female recipients.

Mr. PARLIAMENT: Under 60, I cannot answer that offhand, but I would say the great majority are over 60. I would say at least 75 per cent—about 70, possibly, but that is subject to correction.

The CHAIRMAN: Certainly it would be high because they cannot qualify in most instances until they are 55.

The WITNESS: I would imagine, Mr. Green—I do not know the figures but I would imagine that the people that might come under 60—in any case would be unemployable unemployed they would be able to qualify under section (4) in any event.

Mr. GREEN: Perhaps we could have some clarification on that from the chairman. Would anybody be able to qualify who was under 60 even if that age of 60 were removed from section 4?

The WITNESS: You see, I have always taken it that it is actually under section 3 (1) (c), which brings your veteran in under the age of 60, in which case he would come under the district authority. The section reads as follows:

(1) (c) Any veteran or widow who in the opinion of the district authority

(i) is permanently unemployable because of physical or mental disability, or

(ii) is, because of physical or mental disability or insufficiency combined with economic handicaps incapable and unlikely to become capable of maintaining himself or herself.

I have always assumed in any event that that person would be incapable of taking employment.

Mr. GILLIS: Well, Mr. Watts, I might say that I think there is a very rigid application as far as the widow is concerned at 55, and the proviso there on economic circumstances is not being carried out.

I knew a widow myself—I have had many cases like that—a widow with eight children, for example, living fifteen miles from a city or town, she is under 55 years of age and I have known applications like that to be rejected. There certainly is an economic handicap there. The woman with a house and eight children to look after cannot go out to get employment; she is fully occupied at home. There is a lot of that and that is one point I think was omitted in the Legion's brief.

The CHAIRMAN: If Mr. Gillis will permit me, without taking offence, I think the committee will be happier in our discussions if we proceed in the fashion in which we started, that is to say, to question Mr. Watts on his brief and possibly to suggest to him, if the committee wishes to do so, that he has omitted something or other, but I think we ought to confine as much as possible our discussion to these questions rather than examine into the legislation itself.

The WITNESS: I would like to make one remark there. That was definitely our intention, and I note we have not done so, to suggest that section 4 should be amended to include women over the age of 55. That was definitely intended to be in the brief and it is not in the brief and I am making the recommendation now for the sake of the record.

By Mr. Green:

Q. As a matter of fact, they are shown in section 3(2), which subsection refers to monthly rates, but they are not mentioned in section 4.—That is right.

Q. It seems an anomaly.

The CHAIRMAN: I am afraid we are getting into the matter of the bill. I have no objection, but it will prolong our proceedings.

By Mr. Brooks:

Q. When you say "women" you mean "widows", I suppose?—A. Those qualified.

The CHAIRMAN: Any further questions, gentlemen?

By Mr. Green:

Q. On the Pensions Act, has the Legion given any consideration to section 3 of the bill, which is the one that takes away the right of action from the veteran and his dependents?—A. No, Mr. Green, we have not. There simply has not been the opportunity. I noticed a decision in the court about two months ago—I cannot remember the name of the case—and I rather suspect that this legislation is as a result of that decision, but we have not been able to give the matter any further consideration as yet.

The CHAIRMAN: Any further questions, gentlemen?

By Mr. Gillis:

Q. Mr. Chairman, there is one tangled up problem here, and that is the relationship of the unemployment insurance people to the administration of the section that provides he may take employment. I think we should have clarification on it while the Legion is here. My conception of it is that a veteran taking employment under the circumstances provided by this Act, will never be a recipient of unemployment insurance. For example, to establish a benefit year he has to have 180 payments—that will take him two years of practically continuous employment to do that. While he may be obliged to report for employment purposes to the unemployment insurance office, they keep a record of that, but he is not going to be unemployed long enough to transfer from war veterans' allowance to unemployment insurance as a means of income and I do not see any difficulty there except he has to report. I do not see why the unemployment insurance people should be brought into the picture at all. In most of the cities and towns in the country you have your D.V.A. set-up and they are staffed and a veteran going for war veterans' allowance may take employment for two or three or four months of the year and in my opinion that should be handled by the placement officers in the D.V.A. offices across the country rather than getting him tangled up with unemployment insurance.

Now, you have got General Burns here, Mr. Chairman. He is an authority on this matter and I would be obliged if he would give us a clarification on how that thing is going to be administered and how it might work for the benefit of the committee and the gentlemen of the Legion.

The CHAIRMAN: We are right back where we started a while ago. I have not any objection naturally to bringing General Burns in, and ultimately we will be very glad to do that, but we are abandoning what we said we were going to do, namely, the business of the Canadian Legion and their representations. Mr. Watts has already stated that provided the service is not diminished to the veteran, his organization takes no objection to that. I think it will basically be a matter of testing the efficacy of the practice by past experience. The actual experience we have to go on in that respect is the out-of-work benefits. If the committee wishes me to call General Burns to enlarge on that at the moment I have no objection—I am in the hands of the committee—but I point out to you we are beginning then a sort of discussion which we usually reserve until we have heard the evidence.

Mr. GREEN: I think it would be very helpful.

Mr. JUTRAS: Mr. Chairman, although I raised the point myself, I think the suggestion of the chairman is a good one. I can see that if we started questioning General Burns we are going to get away from the brief and we are going to

get into a general discussion on the bill and I am quite sure, as far as the procedure is concerned, that we had better not get distracted from the immediate point before us which is the brief of the Legion.

The CHAIRMAN: Any other discussion?

Mr. GILLIS: My reason for making that suggestion, Mr. Chairman, is that Mr. Watts has already indicated that he is just as badly fogged up on this as we are and the test of any legislation is how it will work, not what is on paper.

Now, I think it would be good practice on our part to do that now. Mr. Watts and his delegation are leaving the impression with the committee that they are rather doubtful themselves and that leaves a doubt in our minds. I think on that point—and it is the only one I am concerned about—that if there was a clarification and some expression of opinion from Mr. Watts as to what Mr. Burns may say, it would clarify the point for the committee.

The CHAIRMAN: Gentlemen, I am not going to stage a debate between General Burns and Mr. Watts, even if I wanted to, but as I said before if there is any doubt in the committee's mind about Mr. Watts' opinion on the matter he should certainly feel very free to clear it up. What are your wishes, gentlemen? Shall I ask General Burns to deal with the suggestion that has been made as to how this be dealt with?

Mr. BROOKS: That can be dealt with later.

Mr. DICKEY: I think we should proceed in the regular way and wait for General Burns' evidence after we have heard all the presentations.

The WITNESS: I think, gentlemen, I do not see until the regulations are laid down how the Legion in any event can comment on them. Undoubtedly we may have some comments at that time.

Mr. DICKEY: The Legion follows the proceedings of this committee very intelligently and no doubt they will be fully informed.

The WITNESS: I presume we can reserve the right to make a comment on the legislation before it has been passed?

The CHAIRMAN: In my experience you have never been refused.

Mr. GREEN: Are the regulations ready? Will they be down before the committee ends its sittings?

The CHAIRMAN: That is a doubt which I share with you. You cannot finalize regulations until you have an Act, but judging from the discussions this morning we are one or two meetings removed from having an Act.

By Mr. Brooks:

Q. There is one thing I wanted to refer to along the line of Mr. Gillis' remarks. It seems to me that if this was handled by the unemployment offices and not by the veterans, the unemployment people when two men come in, one who is a soldier, an old veteran, looking for work, and another man, the unemployment office would be very likely to say, "Well, you will get the veterans' allowance, anyway," and there would be a certain amount of preference given to others than the veteran in that regard. I think there would be that weakness there. However, possibly that could be commented on later when General Burns gives his evidence.

The CHAIRMAN: That is a legitimate comment and certainly there will be a place for discussion. Just relative to what you said I would like to ask Mr. Watts—they are doing a good job in the placement of old veterans generally, the Legion in conjunction with the unemployment services, but I would like to ask him now.

By the Chairman:

Q. In your experience in dealing with placement officers generally, have you seen any indication of that tendency to dump the veteran on the government and to employ the other worker? That is putting it crudely?—A. I do not know of any indication that way. Of course, dealing with any group of men you run into odd persons who won't play ball, but there again I think that is a situation which veterans' organizations and the D.V.A. will cope with if it arises.

The CHAIRMAN: Any further questions, gentlemen? If there are no further questions the meeting stands adjourned until Tuesday afternoon at 4.00 o'clock when we will hear the National Council.

The committee adjourned.

HOUSE OF COMMONS

Sixth Session—Twenty-first Parliament, 1952

SPECIAL COMMITTEE

ON

VETERANS AFFAIRS

Chairman: L. A. MUTCH, Esq.

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 2

TUESDAY, MAY 13, 1952

WITNESSES:

Hon. Hugues Lapointe, Minister of Veterans Affairs.

Lt.-Col. E. A. Baker, Chairman, and Mr. J. P. Nevins, Secretary, National Council of Veteran Associations in Canada.

Capt. J. P. McNamara, Vice-President, Army, Navy and Air Force Veterans in Canada.

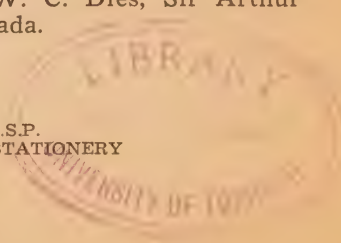
Mr. K. Lanford, Dominion Secretary, Canadian Paraplegics Association.

Hon. Lt.-Col. the Rev. S. E. Lambert, President, and F. O. Alan Bell, Capt. Allan Piper, Messrs. Gerry Des Biens, R. M. Turner and A. J. Parsons, of War Amputations of Canada.

Mr. William Correll, President, Canadian Pensioners' Association of the Great Wars.

Capt. F. J. L. Woodcock, President, and Mr. W. C. Dies, Sir Arthur Pearson Association of War Blinded in Canada.

Mr. A. E. Lanning, Canadian Corps Association.



ORDERS OF REFERENCE

FRIDAY, May 9, 1952.

Ordered,—That the name of Mr. Dinsdale be substituted for that of Mr. Balcer on the said Committee.

Ordered,—That the name of Mr. MacLean (Queens, P.E.I.) be substituted for that of Mr. Brooks on the said Committee.

Attest.

LEON-J. RAYMOND,
Clerk of the House.

MINUTES OF PROCEEDINGS

TUESDAY, May 13, 1952.

The Special Committee on Veterans Affairs met at 4.00 o'clock p.m., the Chairman, Mr. L. A. Mutch, presiding.

Members present: Messrs. Bennett, Blair, Carter, Corry, Croll, Cruickshank, Dickey, Dinsdale, Gillis, Green, Harkness, Herridge, Jutras, Langlois (*Gaspe*), Lennard, MacDougall, Mott, Mutch, Quelch, Roberge, Ross (*Souris*), Weaver, White (*Hastings-Peterborough*).

In attendance: Hon. Hugues Lapointe, Minister of Veterans Affairs; Lt. Col. E. A. Baker, Chairman, and Mr. J. P. Nevins, Secretary, National Council of Veteran Associations in Canada; Capt. J. P. McNamara, Vice-President, Army, Navy and Air Force Veterans in Canada; Mr. K. Lanford, Dominion Secretary, Canadian Paraplegics Association; Hon. Lt. Col. Rev. S. E. Lambert, President, F. O. Alan L. Bell, Capt. Allan Piper, Messrs. Jerry Des Biens, R. M. Turner and A. J. Parsons, of War Amputations of Canada; Mr. William Correll, President, Canadian Pensioners' Association of the Great Wars; Capt. F. J. L. Woodcock, President, and Mr. W. C. Dies, Sir Arthur Pearson Association of War Blinded in Canada; Mr. A. E. Lanning, Canadian Corps Association.

Col. Baker was called, introduced the members of the delegation, and presented a brief on behalf of the National Council of Veteran Associations in Canada.

The representatives of the various member associations in the National Council were heard and questioned.

The witnesses retired.

At 5.05 o'clock p.m. the Committee adjourned until Friday, May 16, at 11 o'clock a.m.

A. L. BURGESS,
Clerk of the Committee.

EVIDENCE

May 13, 1952.
4.00 p.m.

The CHAIRMAN: Gentlemen, we have a quorum.

At our last meeting I indicated to the committee that it had been decided to ask the National Council to make their presentation to the committee this afternoon, and their delegation is here. It is always a formidable delegation and we are very happy that today again it is headed up by our good friend and a friend of all veterans, Colonel Eddy Baker. And, without any formality beyond expressing to you, sir, and to your delegation, the welcome which you always receive in a parliamentary committee to discuss the points of view which are jointly yours and ours—without any further discussion I will ask Colonel Baker to speak to you and to indicate the method by which their brief is to be presented.

Colonel E. A. Baker, (Chairman of the National Council of Veteran Associations in Canada):

Mr. Chairman, Mr. Minister and gentlemen; may I say at the outset that we all appreciate the courtesy which has always been shown to us on occasions such as this, both by the chairman and by the members of the committee. And now, in order to facilitate the hearing I thought that I would first introduce our delegation who are present and then ask Colonel Lambert to read our brief. I believe you will all have copies and you will have noticed that the brief is not too lengthy. Therefore, with your permission, I will proceed to introduce the delegation.

The CHAIRMAN: Please do.

Colonel BAKER: The army, navy and air force veterans are represented by Captain MacNamara and Mr. Jack Nevins, their dominion secretary.

The Canadian Paraplegics Association is represented by Mr. K. Lanford, their dominion secretary.

The War Amputations Association are represented by Colonel Sidney E. Lambert, their perennial dominion president and by Mr. Alan Bell; by Mr. Gerry Des Biens; by Mr. Allan Piper, president of the Ottawa branch, by Mr. Dick Turner and by Mr. A. J. Parsons.

Next, the War Veterans Pensioners of Canada are represented by Mr. William Correll, their dominion president.

Next, the Sir Arthur Pearson Association of War Blinded is represented by Captain F. J. L. Woodcock and Mr. W. C. Dies.

The Canadian Corps Association is represented by Mr. A. E. Lanning, the vice president of the dominion command.

Now, Mr. Chairman and gentlemen, with your permission, may I ask Colonel Lambert to read our brief.

Colonel, the Reverend S. E. LAMBERT, (President of War Amputations of Canada): Mr. Chairman, Mr. Minister and gentlemen; the National Council of Veteran Associations in Canada—I won't read their names because they have already been introduced—make this presentation:—

SUBMISSION TO PARLIAMENTARY COMMITTEE ON VETERANS'
AFFAIRS, MAY 13, 1952

Mr. Chairman and Gentlemen:—

As representatives of the National Council of Veterans' Associations, we appreciate this opportunity which you have afforded us to present recommendations on behalf of veterans in general and the disabled, whom we represent.

As a first comment in this presentation we wish to gratefully acknowledge the improvements in veterans' legislation especially in respect to the Canadian Pension Act as provided in 1951.

At this time we are primarily concerned with a remedy for the unfortunate circumstances affecting recipients of war veterans allowance as a result of economic conditions which have developed in Canada, especially during the past three years. We are also interested in the proposed amendments to the Canadian Pension Act and the Veterans Insurance Act.

As a representative and co-operative group of ex-servicemen's organizations, we are pleased to meet so many members of the House of Commons who have shown a continuing and practical interest in fair and adequate provisions for those ex-servicemen whose disabilities and/or circumstances have made it necessary for them to look to the government of this country for the consideration they may need.

Our recommendations and comments are recorded as follows:

WAR VETERANS ALLOWANCE ACT

Recommendation One.

That war disabled ex-servicemen in receipt of compensation, any class, who have become unemployable, shall be eligible for war veterans allowance with complete exemption of war disability compensation.

Comment

The basic rates of war disability compensation for single and married men were increased with effect from January 1, 1952 in order to meet existing higher standards and costs of living. We have felt that the unemployable veteran on partial compensation has suffered considerable hardship through inability to qualify for war veterans allowance to any extent. The single 50 per cent unemployable war disabled at the new rates received \$62.50 per month, while the single veterans allowance case may receive \$50.83 at the old unchanged rates, including supplementation from the veterans assistance fund. The married 50 per cent unemployable war disabled man may at the new rates receive \$85.00 per month, while the married veterans allowance case may receive \$85.00, at the old unchanged rates, including supplementation from the veterans assistance fund. In general, our council representatives appreciated the unemployability supplement and its provisions. We feel that some hardship is presently being experienced by some war disabled, especially those rated at 50 per cent to 65 per cent. The present basic rate of compensation still contemplates encouragement to employment activity and supplementation. Those who are incapable of supplementation, especially those on 40 per cent or more war disability compensation are not permitted assistance from the war veterans allowance and have no other means of supplementing their income to a reasonable standard. This is consistent with our resolution of 1948, that compensation should not be computed as income in respect to application for war veterans allowance.

Recommendation Two.

That in respect to applications for war veterans allowance, the ceiling on earnings and/or computed income from sources other than war disability compensation should be established at \$1,200.00 per annum for single men and \$2,000.00 per annum for married men.

Comment.

It is quite obvious that the extremely limited ceiling applicable at present and contemplated in bill No. 181 now before the House and affecting war veterans allowance, has not been sufficiently realistic in facing the problems of living costs under present-day conditions. In fact, the extremely low ceiling is reminiscent of the traditional poor law philosophy—that the unfortunate should be grateful for a pittance. A ceiling of \$1,200.00 per annum for single and \$2,000.00 per annum for married war veterans allowance recipients has been selected because it bears a direct relationship to the exemptions under the Income Tax Act of Canada. For income tax purposes, the government of Canada has apparently agreed that the living standard of persons called upon to pay income tax should not be reduced by tax on income below the level of \$1,000.00 per annum for single and \$2,000.00 per annum for married men. We are merely recommending that the minimum level chosen by the government for tax payments might reasonably be accepted as the maximum ceiling for those needing some degree of assistance from government sources, subject only to ceiling supplementation of \$200.00 per annum in the case of the single man.

Note.

The provision in Bill No. 181 for monthly computation on higher seasonal earnings for a short period each year, while otherwise permitting the recipient to receive war veterans allowance during the balance of the year has much merit. However, we should point out that our recommendation No. 2 would cover most of the cases likely to be affected.

Recommendation Three.

That existing rates of war veterans allowance for the single man plus present supplementation from the veterans allowance assistance fund should be consolidated and increased by one-third to at least \$60.00 per month and that the rate for the married man should be increased proportionately.

Comment.

Supplementation of war veterans allowance rates through the assistance fund for those who are unemployable and unable to supplement through casual earnings was at the outset regarded as practical and justifiable. However, in practice, it would appear that the supplementation in addition to the original means test attached to the war veterans allowance assistance fund has carried a secondary means test which serves to confuse and discourage worthy applicants. The war veterans allowance was intended by the legislators of this country primarily as a means of providing for worthy veterans who because of age and/or ill-health had become incapacitated to the point where they could no longer meet living needs through earnings. We do not think that the administration and the operating regulations have been sufficiently realistic to the point of taking into account the inadequacy of the allowance even when supplemented from the assistance fund. We are aware of the diligence of the investigators and of the efforts of the administrators to strictly observe the regulations. We do not blame them, but we do insist that to achieve the application of the spirit of this humane act, the rates must be adequate and administrative latitude based on humanity must be exercised.

CANADIAN PENSION ACT.

*Dependent Parents.**Recommendation One.*

(a) That the proposal in Bill No. 184 to increase allowances to dependent parents of deceased members from \$180.00 to \$300.00 per annum, be approved.

(b) That allowances for dependent parents of pensioners be increased in proportion to the 1952 increase in the basic rates of pension, i.e. by one-third.

Comment.

We consider that certain hardships resulted from the failure to provide proportionate increase in allowance for dependent parents when the increases were made in the basic rate of war disability compensation and allowances for wives and widows in 1951. We are heartily in accord with efforts to remove the existing differential in treatment of dependent parents under present-day circumstances.

*Deadline.**Recommendation Two.*

That the deadline of April 30, 1951 as set for widows and wives in the 1951 session of the House of Commons and affecting dependents of first great war veterans only, be now eliminated as requested by this council in 1948.

Comment.

In 1930, most of the member organizations of this council suggested a formula establishing bona fides of marriage in the case of those married subsequent to the appearance of the disability. Our suggested formula was not accepted, but a definite deadline, January 1, 1930 was put into effect. From time to time, it has been necessary to introduce requests for the elimination or advancement of this deadline and considerable confusion and hardship has resulted. In 1948 we again appealed for the elimination of this deadline, but again it was advanced. Arising from the fear of death-bed marriages of very old veterans with very young women, the deadline idea was born and has thus far survived to plague the peace of mind of worthy veterans of the first great war and their wives and at various times it has given rise to unfortunate implications in the case of women married after a deadline, and even some children born after the deadline as compared to others in the same family born before. Our original formula of five years of married life or one child born in wedlock might even be enlarged by or supplanted by a limitation of not more than twenty years age differential between the veteran and his wife. In any event, if the Pension Act is firmly wedded to the idea of the deadline, then at least it should be advanced to April 30, 1952.

Recommendation Three.

That provision in the Canadian Pension Act for the clothing allowance covering the extra wear and tear on clothing incidental to the wearing of prosthetic appliances be increased to \$120.00 per annum.

Comment.

The war amputations in particular and other major war casualties who must wear prosthetic appliances, particularly artificial arms or legs or both have found it impossible to provide for the extraordinary wear and tear on clothing due to the wearing of such appliances. It must be remembered that most of the war disabled in the group affected are on partial compensation rates. The more active they become in their efforts to supplement their partial compensation payments to a more normal standard of living, the greater the

wear and tear on clothing. It should be noted that apart from the extra wear and tear on clothing due to metal and wood parts as well as webb and leather supporting straps, one of the principal and most serious causes of damage to suits is due to suiting material in the trouser leg or sleeve becoming a shock absorber between the metal parts of an artificial appliance and the hard corners of wood or metal desks or other objects. Despite extra care, the life of the average suit of clothes is less than half what it would be under normal conditions.

Treatment Provision.

While we realize that your order of reference may not specifically include provision for suggestions or comment in respect to treatment regulations, we respectfully beg leave to submit the following for the record and your consideration.

Recommendation.

That war disability compensation cases in classes one to eleven be afforded treatment without charge by the Department of Veterans Affairs for non-entitlement conditions.

Comment.

Complications and cases of hospitalization in general have become an important and serious factor in the life of veterans especially those in the major war casualty group. Various efforts have been made to relieve the worries affecting these men, but each time complications have usually multiplied to the point of becoming a plague to those responsible for administration and a source of confusion to the veterans concerned. An effort was made several years ago to organize a Blue Cross coverage but it soon became obvious with the variations in Blue Cross coverage and fees in the various provinces in which they operated that increasing difficulties in meeting their requirements and at the same time meeting the needs of the veterans made the plan finally impractical. If the government of Canada and the Department of Veterans Affairs have definitely concluded that the Canadian economy cannot face this issue and provide free treatment for non-entitlement conditions of the major casualties of the two great wars, constituting after deduction for those otherwise covered, less than one-third of the total number of surviving casualties, then we would respectfully suggest that the Department of Veterans Affairs be authorized to work out a medical insurance and hospital policy designed to cover all war disabled veterans and permit the veteran in the group to subscribe or authorize deduction from pension payments due.

In making this presentation, we have sought only to cover outstanding points requiring attention. We believe that the recommendations we have just made will serve to clear certain difficulties and hardships. We greatly appreciate the consideration you have shown the organizations we represent. We also wish to express our appreciation to the administrators of the Department of Veterans Affairs and the Canadian Pension Commission for the efforts they have made to ensure a humane application of the provisions for ex-servicemen as authorized by the House of Commons to date.

Mr. LENNARD: Could I ask Mr. Lambert a question?

The CHAIRMAN: Yes, Mr. Lennard. I think we will follow the procedure of the other day. I believe it is a matter of timing. Colonel Baker indicated that he would ask the representatives of each group to speak. It is a question of whether we want to ask questions after each one speaks or whether we wish to hear them all and then have questions. This council has five component parts and they are all here and will be here and the question is whether we will take them one at a time. What is your wish?

Mr. HERRIDGE: I move we hear the representatives of the groups first and then ask the questions afterwards.

Carried.

The CHAIRMAN: All right, thank you, Mr. Lennard.

Colonel BAKER: I wonder if Mr. Landon of the Canadian Corps Association wishes to comment?

Mr. LANDON: Well, Mr. Chairman and gentlemen, the brief pretty well describes what the Canadian Corps Association wishes. We are particularly interested in the hospitalization of non-entitled veterans. We believe that the Department of Veterans Affairs hospitals have the accommodation available and they should be made use of and there are none more entitled than the veterans to use the D.V.A. hospitals.

We go along with what is in the brief and would like to see the hospitalization dealt with.

Colonel BAKER: Any comment from Mr. Correll of the war pensioners of Canada?

Mr. CORRELL: Not particularly, Mr. Chairman, I am quite satisfied with the way the brief has been presented and I feel that consideration should be given to the brief.

Colonel BAKER: The Canadian Paraplegics Association, Mr. Langford.

Mr. LANGFORD: Mr. Chairman and gentlemen, if I may endorse what the Padre has said without enlarging on his argument, I would like to point out a couple of items that are of particular concern to our association.

While the veteran paraplegics are not under present regulations eligible for war veterans allowance, we do run across the occasional veteran with overseas service who has become very seriously disabled since the war in an auto accident and miscellaneous civilian paralysis casualties and in these situations we get a man who, while technically entitled to war veterans' allowance, is not able to go out, get out of a hospital or institution and earn his own living.

We would very much like to see the second recommendation carried out, see the ceilings on war veterans' allowances raised so that this man could get part time employment or sheltered employment, if you wish, using the war veterans allowance as a supplement for income and get reasonably self-sufficient.

The second item is this matter of the recommendation of treatment. The matter of this treatment for paraplegics has been almost entirely taken care of by the pensioner's disability. In the few cases in which non-entitlement conditions have arisen it has been a matter of considerable concern to the paraplegic group. The reason that these cases have not created more concern has been generally because of the extremely sympathetic attention on the part of the Department of Veterans Affairs. We are very appreciative of that and we would like to have a treatment section authorized to provide treatment for the serious disability groups regardless of the question of entitlement conditions.

If I may, I commend these points to you, gentlemen, and I would like to thank you for your consideration.

Colonel BAKER: Captain McNamara, a word on behalf of the army and navy?

Captain J. P. McNAMARA (Director of Public Relations, Army, Navy and Air Force Veterans in Canada): Mr. Chairman, our national president, Major Wickens, asked me to express his regret and the fact that conditions beyond

his control made it impossible for him to be here today and to express the thanks of our organization for the consideration that we have always received from the Department of Veterans Affairs.

The brief as presented by Colonel Baker is supported by resolutions from our national convention and we hope that you will give it every consideration. Thank you.

Colonel BAKER: Captain Woodcock, have you a word on behalf of the war blinded?

Captain F. WOODCOCK (President, Sir Arthur Pearson Association of War Blinded in Canada): Mr. Chairman, the war blind are naturally unanimous in endorsing our present brief, but we do feel very strongly towards some form of hospitalization and I say that because I cannot prove to this group here, Mr. Chairman, nor is there a doctor present who could prove to me or any of us that some of our disabilities not pensionable, not entitled to treatment, are actually related to our disabilities.

I am thinking in terms of perhaps an accident which we would consider caused because a man was blind. I cannot say to you gentlemen that it was because of his blindness because who knows it might have been a sighted man who would have the same accident. Nor can I express to this group just what another man's blindness means to him. I cannot tell any other totally blinded person present just what mental emotions, what nervous strains he goes through in his daily routine in keeping tuned into everything around him to carry on the day's activities. I cannot tell him nor can he tell me what effect that nervous strain is going to have on his general physical make-up.

It is rather an ambiguous position I am trying to paint to you, but to all our minds there are a number of consequential disabilities incurred by our pensionable disabilities which we feel that the veterans should be given the benefit of the doubt on by the Department of Veterans Affairs. All too often not only in our group but in other seriously disabled groups these consequential injuries crop up and it is a battle to get someone to recognize the fact.

In the meantime the chap is not only undergoing the physical discomfort but also the keen emotional upset perhaps of lying in hospital and having a bill thrust under his nose once a week and seeing his meagre savings dwindling rapidly away to the point where he could then apply under class 5-A treatment and only when his savings are down to such a point that there is not even two months' hospitalization left.

We also see that same war veterans allowance case—and mind you, I think it is a comparable condition that a war veterans allowance married man, can have hospitalization and still retain reasonable assets—I think the figure is somewhere around \$1,760. I am not too sure just where the allowance of a 100 per cent pensioner has to be reduced to before he can receive the same hospitalization. I think I am right in saying it is somewhere between \$300 and \$500.

That is all I have to say on hospitalization, Mr. Chairman.

Colonel BAKER: Has Mr. Dies anything?

Mr. W. C. DIES (Sir Arthur Pearson Association of War Blinded in Canada): Mr. Chairman and gentlemen, I do not know that I can add a great deal to this brief or to what Captain Woodcock has pointed out, but I would say that I would like to see a war veteran's case taken care of but it should be pointed out that while the 40 per cent pensioner may go on war veterans' allowance because of his inability to work or unemployment and is entitled to hospitalization, the 100 per cent for whom this whole scheme was set up in the early days does not qualify unless it is for the disability which he carries.

I think that is very important and following on this, I think that maybe Padre Lambert has some cases which I am afraid he won't bring up, but I think this committee should know exactly what the Padre has in mind. That is all I have to say.

Colonel BAKER: I shall now call on Colonel Lambert, and then on any other members of his delegation who may be present.

The CHAIRMAN: Colonel Lambert.

Mr. LENNARD: I was going to direct a question to Colonel Lambert on that very matter, Mr. Chairman, and ask him if he had any further comments to make on this treatment provision, because it is news to me that a 100 per cent pensioner does not get hospitalization.

Lieutenant-Colonel, the Reverend S. E. LAMBERT: Thank you, Mr. Chairman and members of the committee. I am really very placid today. I might say that I was not feeling very well today and perhaps I should not have come. I have a disability which is not due to service and I cannot get any treatment for it. But I am always pleased when I come because they usually expect me to say something drastic and I have got to the place in life where I am mellowed right down.

The CHAIRMAN: Good!

Colonel LAMBERT: I am a pacifist of the first order from now on. This is my last visit, I might tell you; I am sure you will be sorry to hear that. I am waiting for an opportunity to back out of this soldier movement, as one of the older ones who has done his share. There are up and coming some real fighting men who will really do something about it. So I feel today that this is as a swan song to me.

One thing I would like to say, speaking for the war amps of Canada, is they are becoming a little larger group than they were before. We are initiating the Korean veterans into the war amps, and the Patricias and the Chaudieres, and the young fellows who are going to make things hum for the veteran movement a little later on. But on behalf of all of them, may I say that we come here with very grateful hearts today.

Ours is a very limited brief, as you will understand if you heard me read it, because you did so much last time, at your last session, regarding veterans affairs that we come today with very grateful hearts and we thank this committee for the recommendations they made. And we thank the government of this country for putting into action recommendations which have benefitted a great many of our veterans, their dependents and their children.

I think the children's raise and the widows' raise were wonderful things. Apart from the raise that we got, I think it was wonderful and it has made a lot of difference in the lives and the future of the children of veterans, particularly the younger veterans of the second war who gave their lives.

But as we come here today there are these little problems which crop up, which come to our minds. I do not like people who chisel on people. We have always objected to chiselling in the Department of Veterans Affairs and we object to it very strenuously. When they might do good, evil seems always to be present with them. So I suggest that these little things could be ironed out, just little simple things could be presented to you in two or three words.

The job of the Department of Veterans Affairs is the care of the veterans who fought the war. That is their business; caring for the men who fought the war. I do not care who they are, whether or not they are on war veterans allowance, or who they are. As for the pensioners of this country and particularly the gun shot cases, I feel that they—and I would like to refer to Sunnybrook because I happen to be the Padre there, and I know how wonderful and beautiful an institution it is—I feel that it ought to be available for ex-service

men; yet here you see the blind veterans, and the pensioners, and the amps tell you that they cannot get into that place just because they have a pension of 85, 95, or 100 per cent. They may have purchased a house 27 years ago which cost them \$4,700, and it is estimated today that the same house is now worth \$12,000, in these days of high housing. But that is not so to the man who owns it. Nevertheless they estimated it to be so and they say "You are getting so much, and you have too many assets, so you cannot come in." I think that is entirely wrong, and I think the Minister of Veterans Affairs should know that these institutions are built, maintained and staffed for the benefit of the veterans who won the war. If it is not for them, then who is it for?

We are a fighting group who are met here, a little bunch of amputations. I was amazed at our meeting the other night; I was amazed when this little booklet was passed around. They issue a monthly bulletin, the War Amps of Canada, and I was amazed to think that there were so many of our men—and it says: "Please remember; below are the names of your members who are sick at home."

I know these men; there are 10 of them. One of them has the greatest disability of any man in the British Empire. He is the only quadruple amputation, and here he is home, as sick as can be; and his little wife can hardly stand on her feet. She is courageous, and the reason he is not in hospital is because, if he goes to hospital, he will have to pay \$328 a month to do so. You see, you cannot do that. That is what I am telling you; and the rest are the same. There was one man there today, a seriously ill amputation case, and I think he might get a 90 per cent pension. Here he is, and his wife and children with a nice little home, and he has a job; he did a little bit of work at our memorial center and perhaps earned \$40 on the side, as a part-time job. But when they say the total of what he gets is recognized as the amount which shall be in his possession, therefore he is not eligible to go into the hospital. He went to the hospital and he saw the doctor, who said: "Say, you had better come in here, and it will be all right. You come in, in whatever class you are." Then he went further down the hall to another official of the D.V.A. I myself used to be one of them and I shall not speak against them; and this young fellow said to him: "If you come in, it will cost you \$12.38 a day." And do you know what happened? The man collapsed right there, and he had to stay in, because they dared not send him out. So there he is today, seriously ill, and his little wife is at home.

I am sure that the people of Canada would not believe that having built these \$11 million institutions veterans cannot get in there when they want treatment. I am sure the people of Canada do not think that. We are asking that consideration be given to those who might have a little bit, they might have a little bit that they might have got together, a few hundred dollars, and supposing they have, it is not right to take it away from them because they might have a future use for it, for the use of their children. Anyway, it is a very important matter we are talking about at this time, one of the most important things we have ever dealt with and it grieves us very deeply to think it is not possible for this man to get the proper treatment, and it is not fair to the wives for their husbands to be at home. I am not going to give this list of names, but I am sure that if an opportunity was given to them everyone in this list would be in Sunnybrook today.

The other matter is the deadline, and I hate deadlines. We do not want to talk about deadlines at all. If I want to get married, well and good, and if the girl is pretty and wants to get married it is none of your business. Deadlines are the worst things. They never should have been put into the Act. We get married when we see whom we are marrying, and we do not want anybody to tell us when to get married. And I can tell you that they do not get married

on deathbeds, and I should be the one to know for I have been at deathbeds for quite a number of years and I never had a deathbed marriage in the 30 years service in a departmental hospital, never once.

We are glad to see you are doing something for the mothers, a little addition for the mothers, and a little addition for the fathers. I read in the *Globe and Mail* this morning a nice story on the first page about a kind act that was done by the Canadian Pension Commission to the relative of a boy who came from Italy. It was a nice thing to do. You can afford to be kind to the mothers of Canada and the fathers of Canada, for I will tell you if you are going to have a scheme of enlistment for service anywhere then you have to depend on the mothers and fathers to send their boys. It is a most important matter. Do not break down the patriotism of the mothers and fathers of Canada, because there are not many of them you are supporting; fortunately a good many of them are able to support themselves, but if you are going to give them anything give them enough, something which you can reach up to.

There are many other things I subscribe to, that our association subscribes to. I like to put a bit of passion into the thing, and I would like to tell you that there is not a communist in the whole of the veterans' movements, mind you, and because of that I am so glad today to be able to speak on their behalf. The great bases of patriotism in this country in which we live are the fathers of this country, and they proved it, so we submit in this little brief that we are not asking very much but we do ask that you give consideration to these proposals that we have thought out very clearly, and if you make it possible, make the pathway a bit easier and a bit lighter for the veterans who won the wars for us, and then I think we will have done our job as men representing our constituents in Canada.

May I, on behalf of the War Amputations, say that my friend Jimmie Parsons, smart and good-looking, just wants to say a word on behalf of the War Amps. This is Jimmie Parsons.

The CHAIRMAN: Go ahead, Jimmie.

Mr. PARSONS: I think our committee president has covered the point nicely. We have endorsed entirely this brief and, as our dominion president has told you, we are very vitally interested in this matter of hospitalization, so I hope you gentlemen will continue to bend your efforts to do something about it.

The CHAIRMAN: This is the fifth time I have heard Padre Lambert giving a swansong. It reminds me of the farewell tours of Harry Lauder. He probably made eight.

Is anyone on the committee desirous of questioning Colonel Baker regarding matters in the brief? I think we will follow the practice we followed last week and which we will follow on Friday, of confining our discussion at this date to clarification of the brief, and if anyone has any questions to ask, now is the time.

Mr. MACDOUGALL: Mr. Chairman, I have always been under the impression, and I have certainly been disillusioned today, that a 100 per cent disability veteran was entitled to treatment at any of the D.V.A. hospitals across Canada regardless of whether his present illness was caused from active service overseas or not.

The CHAIRMAN: Pensionable disability, you mean?

Mr. MACDOUGALL: No, entitlement to treatment. I was under the impression that every disability pensioner was entitled to D.V.A. treatment in any hospital across Canada.

Mr. GREEN: For any illness.

Colonel BAKER: That is true if his total income does not exceed the classified 5-A ceiling of the former rate of 100 per cent pension. If he has his 100 per cent pension plus some additional income or assets, he may be ruled out for

non-entitlement. He is always entitled to treatment in D.V.A. hospital for conditions related to service. It is difficult to relate some conditions, however, that may arise to service entitlement conditions.

The CHAIRMAN: Any further questions?

Mr. CRUICKSHANK: May I ask a question, Mr. Chairman. It is one that was brought up in the days of the late Hon. Ian Mackenzie, and it is something to which I objected and I think I am the only one who insisted on the elimination of that deadline. I am not going to tell you, Padre, just how old I am, but I think we have to be reasonable about this. As I understand the submission, it says the deadline should be April 30, 1952. If your submission is 1952, I think that your verbal submission is not as important as your written submission. I would like to ask, through you Mr. Chairman, the president, what their submission is as to the average age of a World War I veteran.

Colonel BAKER: I would think, sir, it would be in the neighbourhood of about 64 years.

Mr. CRUICKSHANK: I had set it at 63.

Colonel BAKER: I was judging from my own age. I was 22 past when I was a casualty and I was told when I came back that the average age of a Canadian in the war was 26 years.

Mr. CRUICKSHANK: I think there must be a deadline somewhere. I am not being funny about this, because I appreciate the padre's remarks, but I would like to point out that your submission says it should be 1952.

The CHAIRMAN: I think with your permission, Mr. Cruickshank, I would point out that the submission was that the deadline should be removed and then the brief apparently recognized from past experience that that was not likely. He had asked that it be raised from 51, where it now is, to 52, and at that point I interrupted to say he had cut his request in half because actually it has been hiked two years at a time until 1951, on which occasion we raised it three years because while we were still talking about it the second year slipped by.

Mr. CRUICKSHANK: I would like to read from the brief, from page 7:

In any event, if the pension Act is firmly wedded to the idea of the deadline, then at least it should be advanced to April 30, 1952.

I will go along with the padre on that and I would eliminate the deadline. I do not think you should ask us as a committee to advance it to April 30, 1952. It should be to eliminate the deadline, not set a deadline.

Mr. HARKNESS: They ask for the elimination of the deadline.

Colonel BAKER: That is only an alternative in case somebody cannot agree on the elimination.

The CHAIRMAN: First we had a request and then we had an alternative suggestion.

Mr. CROLL: If we do not eliminate the deadline, April 30 would not do you very much good.

The CHAIRMAN: It will just cover the people who have been married in the last 12 months.

Any further questions?

Mr. GREEN: I would like to ask about the first recommendation again.

The CHAIRMAN: Mr. Green.

Mr. GREEN: As I understand the recommendation it is that pension should not be taken into consideration at all in an application for the war veterans allowance?

The CHAIRMAN: It should be exempted as income on application for the war veterans allowance.

Mr. GREEN: It takes it right out of the category of income for the purpose of war veterans allowance, is that correct?

The CHAIRMAN: That is right.

Colonel BAKER: That is the recommendation. I might say that there were a variety of views throughout our membership. Some have felt that maybe that was asking too much. There have been suggestions of a ceiling within reasonable limits; however, I think there was the assumption that there was bound to be a ceiling somewhere, but the idea was to assist particularly partial pensioners who at the moment may benefit but little in many cases. Might I say that in the comment I think we refer there to the fact that even the 100 per cent pension contemplates leaving some margin of encouragement for a man to make an effort and to earn; and that is increasingly the case as you go down the degree of disability. And now, if a man becomes unemployable anywhere down the line then he is apt to be out of luck, fare approximately the same as a war veterans allowance case. You see, the unemployability supplement that was in last year, when that was discontinued following the increase in the basic rate, if a man in the 50 or 65 per cent group qualified he lost from \$2 to as much as \$17, and in addition his entitlement to treatment for non-entitlement conditions.

Mr. GREEN: I noticed in the first paragraph of that recommendation you only make it applicable to the unemployable.

Colonel BAKER: To the unemployable, yes.

Mr. GREEN: That is, you are asking that the unemployable veteran would not have his pension counted as income?

Colonel BAKER: That is right.

Mr. GREEN: But you are not asking that for the employable veterans?

Colonel BAKER: That is correct.

Mr. CRUICKSHANK: Mr. Chairman, I would just like to ask for information about the paraplegics. That point is not clear to me. Do I understand these paraplegics are subject to a means test?

The CHAIRMAN: It is a means test now.

Mr. CRUICKSHANK: May I ask that from the gentleman who heads their delegation?

The CHAIRMAN: Would you like to answer that?

Mr. LANGFORD: Speaking of the veteran who has become seriously incapacitated since the war, he does not, of course, have a pension entitlement for the condition and he must fall back on the war veterans' allowance. Under those circumstances, in order to get a man rehabilitated, it is frequently necessary to put him into part-time occupations or sheltered employment of perhaps a period of a month or a few years before he can get in a position where he can become self-supporting. For that reason we feel that the ceiling on earnings in connection with war veterans' allowance should be raised.

The CHAIRMAN: If the committee will permit me, I was going to ask a question of Padre Lambert. I assure him there is no malice in it, but I have enjoyed a lot of very uncomfortable hours at his hands. I wonder if he personally subscribed to that section he read for his organization at the top of page 3. I can't just reconcile the comments there in connection with the unemployability supplement and these provisions; because I seem to recollect that there were—

Colonel LAMBERT: I was just speaking for a few. There were only 6,000 people in that.

The CHAIRMAN: It was 14,000.

Colonel LAMBERT: Was it?

The CHAIRMAN: You just suggested that only 6,000 benefited but there were 14,000.

Colonel LAMBERT: I know, it is just like the old age pension; when they get something for nothing they will take advantage of it. And I say that because they do appreciate it, and now by having it taken away they lose their chance of hospitalization, and the increase of pension was not great enough, as told you by Colonel Baker; wasn't sufficiently large to cover the loss they sustained, so they would much rather have had the allowance continued than an increase of pension. The fact of the matter is, it has been suggested by some pensioners that they forego their pension and receive war veterans allowance and then they will get all the benefits that are coming.

Mr. MACDOUGALL: Are you referring, Colonel Lambert, to those age 70 and over?

Colonel LAMBERT: No.

Mr. MACDOUGALL: All those in that category?

Colonel LAMBERT: Yes. They were supposed to get hospitalization. I am speaking about the unemployable pensioner who receives the supplementary allowance—is that what it is called?

The CHAIRMAN: Yes, the unemployment supplement.

Colonel LAMBERT: The unemployment supplement: he receives that, and with that they also have the privilege of free hospitalization during that period.

Colonel BAKER: For non-entitlement conditions.

Colonel LAMBERT: For non-entitlement conditions, yes; and that was another advantage to them which they will now lose.

Mr. GREEN: It was my understanding that the hospitalization treatment right was to be continued.

The CHAIRMAN: That clause in the treatment regulations which provided it disappeared with the legislation.

Mr. CRUICKSHANK: What is that, Mr. Chairman?

The CHAIRMAN: That clause in the regulations for treatment of non-pensionable disabilities to those in receipt of the unemployability supplement—that provision in the regulations disappeared with the legislation. Those who were currently getting it at the time the Act was repealed continued to enjoy it until the effective date of repeal; but it was always tied to that benefit—the benefit and the treatment disappeared together. Perhaps there may be some confusion, there was some confusion at the time, about the announcement that those persons who lost their entitlement to hospitalization and treatment by virtue of the fact that this unemployability supplement was cut off would in future be entitled to the war veterans' allowance. The question was asked repeatedly whether or not with the disappearance of the supplement they would resume the entitlement to hospitalization and treatment which they had lost, and the answer was given that they would, and that it would be maintained, and that has been done. That entitlement which was given because of the right under the unemployability supplement disappeared with the supplement.

Mr. GREEN: They got their entitlement because of their war veterans' allowance?

The CHAIRMAN: They got it under the regulations establishing the war veterans' allowance; the majority did, but not all.

Colonel BAKER: The unemployability supplement, as I understand it, was payable in the case of a war pensioner on establishing that he was unemployable as such, and there was no means test, and when you come back to war veterans' allowance you run smack into the test.

The CHAIRMAN: That is correct. Now, gentlemen, are there any further questions?

Mr. HARKNESS: Yes, in connection with the recommendation two: "that in respect to applications for war veterans' allowance, the ceiling on earnings and/or computed income from sources other than war disability compensation should be established at \$1,200 per annum for single men and \$2,000 per annum for married men." In the comment you go on to say that these figures tie in with the income tax exemptions. My question would be: why, in the case of single men you ask for \$200 above the income tax exemption?

Colonel BAKER: Because in the case of the single man we are merely maintaining the differential between the income of a single man and the income of married men. We have never agreed on the principle that in the case of married men the single rate should be applied.

The CHAIRMAN: So that rather than take it off the top you put it on the bottom, if you like. It is consistent in any event.

Are there any further questions, gentlemen?

If there are no further questions, I should like to express to you, Colonel Baker, and through you to your delegation, the very warm appreciation of this committee; and I think I may presume to express the appreciation of the minister and the department for the very co-operative way in which your organizations work with parliament and the department, not only on these formal occasions but on the many occasions when you are in our offices or we are in yours. I can assure you that the committee will look with a kindly eye on the representations you have made, with an eye on your representations, but with some reservation of conscience, generally as to our other obligations. We all appreciate your coming and the purpose of your presentation, and we express to you our thanks.

If there is no further business I just want to say a word before we adjourn. I would appreciate it if the committee would make every effort to have as good a representation as possible on Friday when we will have with us representatives of the British Imperials who were brought within the scope of the Act in 1948 as you will remember. We will also have with us representatives of the non-pensioned widows.

If the steering committee will wait for one minute we have another application to be heard which I would like to discuss. If we are to hear these people we will have them here on Friday also.

There will be no meeting on Monday because a number of you will be attending the Legion convention in Montreal.

Mr. CROLL: I move we adjourn.

The committee adjourned.



HOUSE OF COMMONS

Sixth Session—Twenty-first Parliament, 1952

SPECIAL COMMITTEE

ON

VETERANS AFFAIRS

Chairman: L. A. MUTCH, Esq.

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 3

FRIDAY, MAY 16, 1952

WITNESSES:

- Mrs. E. Darville, President, and Mrs. L. Caunt, Secretary, Canadian Non-Pensioned Veterans' Widows.
- Mr. Clifford Gregory, President, and Mr. Stephen G. Jones, Secretary, The Federation of British Canadian Veterans of Canada.
- Mr. G. H. Bowler, British Ministry of Pensions.
- Mr. J. L. Melville, Chairman, Canadian Pension Commission.
- Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board.
- Dr. W. Warner, Director General Treatment Services, and Dr. Wallace A. Wilson, Adviser in Geriatrics to D. G. T. S., Department of Veterans Affairs.

MINUTES OF PROCEEDINGS

FRIDAY, May 16, 1952.

The Special Committee on Veterans Affairs met at 11 o'clock a.m., the Chairman, Mr. L. A. Mutch, presiding.

Members present: Messrs. Carter, Cruickshank, Dinsdale, George, Gillis, Green, Harkness, Herridge, Jutras, Langlois (*Gaspé*), Larson, Lennard, MacLean (*Queens*), McWilliam, Mutch, Quelch, Ross (*Souris*), Thomas, Weaver.

In attendance: Mrs. E. Darville, President, and Mrs. L. Caunt, Secretary, Canadian Non-Pensioned Veterans' Widows; Messrs. Clifford Gregory, President, and Stephen G. Jones, Secretary, The Federation of British Canadian Veterans of Canada; Mr. G. H. Bowler, British Ministry of Pensions; Mr. J. L. Melville, Chairman, Canadian Pension Commission; Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board; Dr. W. P. Warner, Director General, Treatment Services, and Dr. Wallace A. Wilson, Adviser in Geriatrics to D.G.T.S., Department of Veterans Affairs.

Mesdames Darville and Caunt were called, heard, questioned and retired.

Messrs. Gregory and Jones were called, heard, questioned and retired.

Messrs. Bowler, Melville and Garneau were questioned.

Drs. Warner and Wilson were called, heard and retired.

At 1 o'clock p.m. the Committee adjourned to the call of the Chair.

A. L. BURGESS,
Clerk of the Committee.

EVIDENCE

May 16, 1952.

11:00 a.m.

The CHAIRMAN: Gentlemen, we have a quorum. I find myself a little in the position of some clergymen in regard to the problem of front seats. This is a large room and there is some difficulty in hearing, especially if there is conversation going on. I think it would be to our advantage to sit as close to the witness as you can.

Now, we have arranged to hear a delegation from the Canadian Non-Pensioned Veterans' Widows Association, and also one from the Federation of British Canadian Veterans of Canada this morning; and, in addition to that if we have a little time—and I think we will have—I have taken advantage of the presence in Ottawa of Dr. Wallace Wilson to ask him to come before the committee and give us some of the story of what they are doing in the matter of geriatrics and the rehabilitation of old veterans, and of the experiments which have been carried on under his direction in British Columbia. You will recall that I did promise the committee on a former occasion that I would try to get him here, and he is here now.

I think with the approval of the committee I shall ask, first of all, the ladies representing the Canadian Non-Pensioned Veterans' Widows to read their presentation. The presentation will be made by Mrs. E. Darville.

Mrs. E. DARVILLE, (President, Canadian Non-Pensioned Veterans' Widows): Mr. Chairman and gentlemen, I believe that you have copies of the resolutions in front of you, each of you.

The CHAIRMAN: They are being distributed now.

Mrs. DARVILLE: Mr. Chairman: Gentlemen, a delegation from the Canadian Non-Pensioned Veterans' Widows Council appeared before the special parliamentary committee on Veterans Affairs in April 1951. We presented our brief and resolutions to said committee. We had hoped that the allowance would be raised to sixty dollars (\$60.00) per month and be granted to veterans widows in receipt of the allowance, but nothing was done. The cost-of-living is at the highest point in history. The \$40.00 just purchases half as much as it did when the allowance was first granted. We are aware that there is an assistance fund, but so few qualify for it, we are submitting the following resolutions, trusting they meet with your approval and that action will be taken at this session of parliament.

Resolutions:

1. That the widows allowance now payable under the War Veterans Allowance Act be raised to sixty dollars (\$60.00) per month.

2. That all non-pensioned veterans widows whose late husbands served in England with the Canadian forces during the first Great War be considered under the War Veterans Allowance Act.

We had hoped these widows would be granted the allowance. Their men enlisted in good faith and served where they were most needed, yet *these* widows are disqualified.

3. That veterans widows in receipt of the allowance receive free medical care.

4. That the widows of Imperial veterans who have resided in Canada for twenty years and whose late husbands died prior to having the necessary qualifications be granted the widows' allowance under the War Veterans Allowance Act.

As the Act stands now the Imperial veteran must have resided in Canada for twenty years.

Respectfully submitted

Gentlemen, I would like to say on the first resolution, number 1, that these women find it utterly impossible; they don't live, they just exist; it is impossible to live on the present amount of \$40.21. They have to pay \$25 rent. I have made a very strict survey in the whole of British Columbia, both by mail and by personal appearances, and I find that most of the people have to pay \$25 monthly rent, and they have hospitalization; and to get hospitalization they have to pay \$35 to get into a hospital which takes almost a month's money; so they are hoping that you gentlemen will give some attention to giving them some free form of hospitalization and medical care and medicine.

On number 2, we find that this also is a very, very hard proposition. The men enlisted in good faith and through no fault of their own they were not in the front line, therefore they are disqualified. And now, when these men enlisted they did not tell their C.O. where they were going. I happened to have been in the first war myself, and I wasn't in the line. I was only a volunteer worker; I could not go where I liked; and these men could not go where they liked, they had to go where they were sent; and if they happened to be a carpenter, a mechanic or an engineer of some kind they were sent where they were most useful. A fighting man could not get on without the mechanic and the mechanic could not get along without the fighting men, just the same as the capitalists cannot get along without labour and labour cannot get along without the capitalist.

On number 3—I have taken care of that under medical care. Speaking of medical care, you have already taken care of the widows and the dependants of those who are killed by accident. There has been new legislation, through the federal government in the last three months I understand, with the Workmen's Compensation Board. Now, the man is killed and he comes under Workmen's Compensation and I understand that it takes care of the widow and the dependants as to medical care. And now, if that can be done for a man who is killed and comes under Workmen's Compensation benefit, I cannot see any reason why it cannot be done under Veterans Affairs.

Now, the imperial widow must reside in Canada for 20 years—we in British Columbia do not have as low as six weeks—one, I think, is a matter of days, so many days—in Mr. Good's riding in Richmond. Now, I do feel that respecting some of these widows there can be some line drawn; some of these widows were even born in Canada and have never been any place else, but because they happened to marry an Imperial soon after the first Great War, if their husbands did not live long enough they were automatically disqualified; and, gentlemen, I rather feel it is too bad we haven't got some widows definitely on this committee.

Now, in regard to the \$40.21; I see that our labour unions across Canada cannot agree that their men can get along with \$200 a month or \$300 a month working a 35 hour week with an actual take home pay for 40 hours; and if they can't live on the \$300 a month how in the name of goodness can a widow live on \$40? To me that is the \$64 question.

I am going to speak for a very short moment about the Imperial widow who is receiving that 100 per cent pension. Her husband was killed on the

battlefield and she came to Canada right after the first Great War where she raises two boys, and when she gets her pension she gets the large amount of \$26.16 owing to the currency going right down. I do feel that there should be something done in the way of bringing up those pensions on a level with that received by the Canadian widow.

And I would like to speak for a moment about the deserted wife. We all know that when the men came back they were definitely not the same as they were when they went over, and quite a few of these men came back shell-shocked and shattered. They had no idea of half the things they were saying to their wives, the children would be tiresome and the men would be tired; the men would be suffering from shell-shock; and the first thing the wife knew the man had gone off and she never saw him any more; but, because she was not living in the same house as he when he died she is not eligible for the pension—

The CHAIRMAN: You mean, the war veterans allowance.

Mrs. DARVILLE: I mean for the war veterans allowance, yes.

Then there is one other short thing I would like to bring before you, about headstones. Quite a number of widows feel the headstones are not being taken care of.

The CHAIRMAN: Whereabouts, Mrs. Darville; you mean graves in Canada or overseas?

Mrs. DARVILLE: In Canada.

Mr. GREEN: Is that the graves of veterans?

Mrs. DARVILLE: Yes, the graves of veterans. There is the one at Little Mountain for example.

There is also a matter of the sole support of a son. When he goes overseas and the father is alive he makes his mother an allowance, the usual sons allowance; and then he comes back and then his father dies making him a sole supporter. Instead of her getting a full pension which she would have had her husband not died, she only gets \$40.21. We feel that there is rather an injustice here. Therefore, I feel that it is not too much to ask for \$60 for these widows rather than the \$40.

The CHAIRMAN: Thank you, Mrs. Darville. I understand that your secretary, Mrs. Caunt, desires to add a word to what you have said.

Mrs. DARVILLE: Yes.

The CHAIRMAN: Mrs. Caunt?

Mrs. L. CAUNT, (Secretary, Canadian Non-Pensioned Veterans' Widows): I want to thank you, Mr. Chairman, for making it possible for Mrs. Darville and myself to appear before you gentlemen because we appreciate it. I think that Mrs. Darville has gone very well over all of the main resolutions in the small brief that we have presented. I would just like to add a word on medical care. Of course, as you are aware it is difficult. I come from Toronto, and anyone who can't pay for it gets it through their municipality; but we feel that something should be done because with a widow living on \$40.21, it is impossible for her to pay the doctor or pay for any medicine. And then, in Ontario, we have a lot of what you call border-line cases. We hope that you will give sympathetic consideration to these border-line cases of the Imperial veterans' widows, and then there is the Assistance Fund. We are not altogether satisfied with the Assistance Fund. Those who qualify for it who have to be very needy, and those that don't get it think they should receive it; and I should think that Mr. MacInnis, who has charge of that, has quite an item on his hands to know who ought to get the assistance and who should not get it. Therefore, we feel that the allowance should be raised \$60 from the Atlantic to the Pacific, to everybody

and do away with the Assistance Fund. I think that is all I have to say, because, as I said, Mrs. Darville went very well over the ground.

Thank you, gentlemen.

The CHAIRMAN: Thank you, Mrs. Caunt. Mrs. Darville?

Mrs. DARVILLE: I would like to mention that I feel that these people should be allowed to earn a little more. Quite often they have an opportunity to get something to be done during the summer and if they earn over the amount that is allowed they are taken off the allowance, so there really isn't much incentive for these people to try to get ahead on this; that is, if they can get ahead on this.

Mr. GREEN: Mrs. Darville, have you given any thought to the new provision permitting the veteran to go on a monthly basis? In other words to take employment whenever he can get it, and then when he is not employed to go back under War Veterans Allowance?

Mrs. DARVILLE: We haven't had that given to us yet.

Mr. GREEN: Pardon me?

Mrs. DARVILLE: We haven't had that given to us, we haven't had that bill.

Mr. GREEN: You have not seen the new bill?

Mrs. DARVILLE: I don't think so.

Mr. GREEN: At the moment that provision does not apply to the widow; it only applies to the veteran, but it might be worth while for your association to give some thought to that proposition just to see whether it would help you.

Mrs. DARVILLE: Mr. Chairman, would assistance be allowed to come into that?

The CHAIRMAN: Do you mean to discuss it now?

At the moment, Mr. Green is right. The bill does not specify an extension of section 4 to widows. There has been no discussion so far.

Mrs. DARVILLE: May I ask, Mr. Chairman, if these widows may avail themselves of that privilege?

The CHAIRMAN: In your view, Mrs. Darville, do you believe an extension of that privilege to the widows would be of major benefit to them?

Mrs. DARVILLE: I certainly do.

The CHAIRMAN: It is proposed that it will work in some such way as this: Having elected to take war veterans' allowance under section 4, the veteran, in those months when he earns, may retain his earnings. I emphasize the word "earnings". In the months when he is unable to earn the war veterans allowance may be received. What Mr. Green is asking is whether you think that would be of assistance to your widows?

Mrs. DARVILLE: I do.

Mrs. CAUNT: Might I answer to that question?

I do not think that would be of very much assistance to the widows because they are all too old to earn any money. Of course, the allowance is not granted until age 55. Nowadays they do not want a person after 40, so it is pretty hard for a widow of 60 and up to 70 to get any work at all. We know that because we are dealing with widows all the time.

I do not think it would be of much benefit to the women.

Mr. GREEN: I do not think you would be wise to turn it down too hard because it does not affect your present rights to war veterans allowance, and it may be of great help to a widow who could get work.

Mr. HERRIDGE: I would like to ask Mrs. Darville a question on that point. While it may apply to a great extent in large cities, and I have no experience with that, I am sure Mrs. Darville will agree with me that in many small

places in British Columbia there are opportunities for widows to take some light work, assisting in domestic work and so on, and in that way supplement their allowance?

Mrs. DARVILLE: That is correct.

Mr. JUTRAS: Mrs. Darville, I think you mentioned that the 100 per cent British pension is at the moment equivalent to \$26.15. That is for a 100 per cent pension?

Mrs. DARVILLE: Yes, from Britain.

Mr. JUTRAS: Yes. Of course, that applies to the group who do not elect domicile in Canada.

Mrs. DARVILLE: They have been here since 1919.

Mr. JUTRAS: Is that not supplemented at the present time?

Mrs. DARVILLE: That is what I am asking for—to have it supplemented.

Mr. JUTRAS: Well, of course, here we are dealing only with the first great war.

The CHAIRMAN: That is right. I think your difficulty arises, Mr. Jutras, out of confusion with the case of the Imperial who was domiciled in Canada and returned to serve with the British or allied or associated powers, and then subsequently came back to Canada, receiving an entitlement from the power with which he served—in that case we do supplement to the Canadian standard. Mrs. Darville was dealing with the British veterans who had completed his service, had been pensioned by his own ministry, and subsequently came to Canada—not having been in Canada before. Now, his widow is the one on whose behalf she speaks.

Mr. JUTRAS: That is right.

The CHAIRMAN: That pension is not supplemented. We did not supplement our pension to Canadians receiving the pension in the United States when our dollar was worth only 90 cents.

Mr. JUTRAS: But we do supplement the pension of those who were with Canada and then went over—

The CHAIRMAN: Yes, that is right.

Mr. JUTRAS: How many would be in that group?

The CHAIRMAN: A fairly substantial number. It includes most of the immigrants after 1920. We are paying war veterans allowance to over 2,300 of them so that gives you an idea.

Mrs. DARVILLE: I was only speaking actually of widows who lost husbands on the battlefield and came to Canada after the war.

Mr. JUTRAS: But you have no figures.

Mrs. DARVILLE: No.

The CHAIRMAN: By far the largest group for present consideration and for the future are widows of the very large number of men who came out here under the Commonwealth Air Training Scheme and were subsequently lost in action. Many of those widows are Canadian born. They never left this country and are still living here and they are getting their pensions from the Imperial government. We are unable to supplement that pension. There are a few from World War I and many more from World War II.

Mr. GREEN: They are not supplemented at the present time?

The CHAIRMAN: Not if they had no service here.

Mr. GREEN: If the husband was not domiciled—

The CHAIRMAN: Or did not serve with the Canadians. It is a small problem in connection with World War I but it may become substantial with respect to World War II.

Mr. LARSON: How many are involved?

The CHAIRMAN: I do not know. I say there is a substantial number and I presume we can find out.

I had occasion to speak on their behalf to the British ministry of pensions when I was overseas last autumn. I did not bring back any more satisfactory solution to the problem than did many others who had tried before—including the British ministry representatives.

Mr. CARTER: Does anyone have any information on the average age of those groups of widows?

Mr. GREEN: That might be a very embarrassing question.

The CHAIRMAN: Perhaps, Mr. Carter, it would be satisfactory if one were to say that they have to be 55 years of age to qualify. The average age of veteran husbands of World War I who are under war veterans allowance is 61, we are told. I think you will have to get an approximation from that.

None of these ladies here are that old but some of their sisters are.

Mrs. DARVILLE: I wonder who Mr. Mutch thinks he is kidding.

The CHAIRMAN: Are there any further questions?

Mr. GREEN: As I understand this fourth resolution it asks that instead of qualification of the widow of an Imperial being based on the husband's twenty year's residence in Canada after the first war, that the basis be the length of residence of the widow herself.

Mrs. DARVILLE: That is what we are asking.

Mr. GREEN: And where you refer in your statement to cases where the widow was just six weeks short of qualifying you have in mind here that the husband died within six weeks of being in Canada for twenty years. Therefore, the widow is ineligible?

Mrs. DARVILLE: Yes.

Mr. GREEN: That is what you meant?

Mrs. DARVILLE: Yes.

Mr. GREEN: In your third resolution you are asking for the same treatment and privileges for widows as is given for veterans drawing war veterans allowance at the present time.

Mrs. DARVILLE: I am asking that these people be treated in the same way and that they be taken under the Workmen's Compensation Board.

Mr. GREEN: Frankly, I do not understand your reference to Workmen's Compensation Board. That is, I presume, a situation in British Columbia. I do not know of any dominion provision for care of Workmen's Compensation Board cases in that category.

The CHAIRMAN: I understand, Mr. Green, that Workmen's Compensation legislation varies in the various provinces. I am quite sure that Mrs. Darville is most familiar with her own province which in some respects has to be conceded to be progressive—although it is difficult for me to concede that.

Mr. HERRIDGE: Always.

Mr. CRUICKSHANK: We would expect that from the chairman.

The CHAIRMAN: Generally the approach should be on the basis of a comparison with single veterans.

Mr. GREEN: When you mentioned paying \$35 to get into hospital you were referring to the hospital insurance scheme in the province of British Columbia under which everyone going into hospital has first to pay \$35. Is that not correct?

Mrs. DARVILLE: Yes. I believe I mentioned in British Columbia, where I come from—

The CHAIRMAN: I do not think we should get into the British Columbia hospital benefits as I understand there is a dispute going on about the matter.

Did you want to ask a question, Mr. Larson?

Mr. LARSON: Yes. You were discussing these people who married airmen over here under the air training plan. That would involve a group of women about probably 30 years of age. How large would that group be—or are you going to find that out?

The CHAIRMAN: I do not know whether there is anybody here who has an idea of that. Have you an idea Mr. Melville?

Mr. MELVILLE: I am not sure of the group to which Mr. Larson makes reference. R.C.A.F. and R.A.F. personnel?

Mr. LARSON: R.A.F. personnel.

Mr. MELVILLE: We have no information whatsoever regarding the group of Canadian women who married R.A.F. personnel.

Mr. LARSON: Are those widows drawing pensions now from the British government?

The CHAIRMAN: Yes.

Mr. MELVILLE: Mr. Bowler is here.

The CHAIRMAN: Yes, I caught his eye just as I spoke. Could you tell us something about that, Mr. Bowler?

Mr. BOWLER: I do not know the actual number, Mr. Chairman, but we can find out from our figures.

The CHAIRMAN: There was a figure mentioned when we were discussing it last fall in London. It seems to me, from memory, that it was somewhere in the neighbourhood of 3,000.

Mr. BOWLER: I would not think it is that high but, in regard to the previous question, we have several hundred of the widows who came to this country and who are ineligible because their husbands did not reside here for the necessary twenty years. That number runs to several hundred. We can give you those figures too and break it down in age groups if you desire.

The CHAIRMAN: It would be valuable and we would appreciate it very much if you could do that.

Mr. BOWLER: We would be only too happy to do so.

The CHAIRMAN: If there are no further questions I will express to Mrs. Darville and Mrs. Caunt our appreciation for the orderly presentation of their brief and the cooperation which both this committee and the department itself has had with your organization in carrying out the things you are trying to do; and the friendly and persistent way in which you keep insisting that we do better.

The next delegation is that of the Federation of British Canadian Veterans of Canada, and I am going to ask Mr. Jones or Mr. Gregory to present their brief.

Mr. Jones has appeared before us on behalf of his organization on occasions in the past. The last time I think was when they were seeking admission under War Veterans Allowance Act, and on that occasion they concentrated on the question of persuading us to grant them entitlement. This is their first appearance since they got entitlement. There are well over 2,000 of their members and adherents drawing war veterans allowance and they have asked to come back to speak to us again.

Mr. Jones will present the brief.

Mr. JONES (Dominion Secretary and Pensions Officer, Federation of British Canadian Veterans of Canada): Mr. Chairman, distinguished members attending the meeting, honourable members of this committee: I will give a brief preamble before I read the brief on behalf of the federation.

What I have to say is probably embodied in the first paragraph of our brief but I feel that it will not go amiss in thanking this committee and previous committees that we have had the pleasure of appearing before, for the subsequent awards we have received as a result of our representations.

All of us are comrades and we know the benefit of working for the other veteran without thinking of expecting anything personally in so far as appeals are concerned.

As I mentioned in the last parliamentary committee I personally have nothing to gain, never will have, from any appeal we make.

I am introducing to you Flying Officer Gregory, a veteran of World War II R.A.F., in his second term as our president. We have believed in handing over the cudgel to a younger veteran, bringing him along in the feeling that he is working for both World War I and World War II veterans. It is with very sincere thanks that we appreciate this opportunity of coming to see you.

In our brief, which I trust each member has, we confine ourselves solely, or I would say generally, to an increase of 33 1/3 per cent in war veterans allowance. We have attempted not to confuse this issue by minor issues of any description. This we feel is the most important point that we have to submit at this meeting on behalf of the Federation of British Canadian Veterans with whom we all had the pleasure of serving shoulder to shoulder.

As you go along you will probably find slight references to other matters but I would like to point out, Mr. Chairman, that in mentioning these matters you will see as we go along that at the time this brief was prepared there was a little confusion or I might say conflict or uncertainty as to the application of the war veterans allowance and its inclusion with old age security.

So, Mr. Chairman and members of this committee, if I may be permitted to comment briefly on each paragraph probably it will assist in bringing to your attention a clear picture of what we have to submit.

1. The Canadian government has, through its respective Ministers of Veterans Affairs, since 1944, extended a cordial and welcome invitation to representation requested by the Federation of British Canadian Veterans of Canada. The highest esteem for such recognition is doubly appreciated by our membership throughout the dominion. Several thousand British Canadian veterans, and widows of the veterans, have become happy recipients of the measures awarded by the legislation of the Domicility Amendment, May 31, 1950. Again, as of December 2, 1951, by order-in-council the British Canadian and allied veteran was granted entitlement to class 5 (a) and 6 of the treatment regulations of the Canadian Pension Commission—and in addition to those two clauses there was also an award of clause 12(b) in that respect which I will try to convey to you a little later,—with an early future consideration of entitlement to class 12 (d) of such regulations. Needless to mention, this federation finds it somewhat difficult to express in words, our gratitude for the progressive and constructive veteran legislation in our favour, hitherto unknown in the history of British Canadian and allied domicility in Canada, or any other part of the world of Veteran Affairs. Our sincere thanks to the Canadian government, the Ministers of Veterans Affairs, and their colleagues.

Class 12(d) is an entitlement to hospitalization for the veteran who qualifies under twenty years' domicility, has also his hospital plan to join with that of his own, for example, if he is admitted to Sunnybrook for treatment.

2. By unanimous resolution at our general meeting, held December 16, 1951, in Hamilton, Ontario, fully supported by delegation from the army,

navy and air force veterans in Canada, and representation from the Canadian Corps Association, Ontario Command, a decision was reached whereby a brief should be completed for submission at the next parliamentary committee on Veterans Affairs, to the Minister of Veterans Affairs, also, coupled with a request that permission be granted by the said committee for the attendance of a delegate, or delegates, to present such brief before the committee.

3. This is the brief in question, affecting and wholeheartedly supporting Canadian and British Canadian veterans who are in receipt of war veterans allowance, at the present time, and those who may become eligible to its provisions in the future. Primarily, we, the Federation of British Canadian Veterans of Canada are concerned, in our appeal, with the veteran, as aforementioned, including the widow, or the veteran's dependent. The veteran is in the sixty year group, the widow in the fifty-five, and up. Where the district authority of each designated division of the War Veterans' Allowance Board discovers any veteran qualifying below the age of sixty years, every consideration is given to that veteran who wishes to make application for benefit.

4. As a suggested guidance to the honourable members of the committee, the war veterans' Allowance, in total, for the married veteran, or widow, with child or children, is, in amount, \$1,125 per annum, or as follows: allowance, \$850; casual earnings, no set amount - other income; \$250 - unearned income; \$25, all, per annum. Free treatment for the veteran, is also included, upon application to the W.V.A. district authority.

5. The Minister of Veterans Affairs, through the chairman of the War Veterans Allowance Board, we feel, is well informed of the number of veterans, married and single, and widows, with child or children, as recipients, at the present time, together with the cost. The government of Canada is, further, well informed of the gradual pyramiding cost of living which has affected all Canadians. No one can deny that labour, whether union or non-union affiliate, has not been favoured with commensurate wage earning increase during recent years, to become capable of maintaining himself because of economic conditions prevailing. The disability pensioner (Canadian) has recently been awarded a thirty-three and one-third increase, because of economic handicap. The war veterans' allowance recipient, has not, yet, he is compelled to bargain in the same commodity market as his brother disability pensioner, and the worker.

6. The Federation of British Canadian Veterans of Canada, supported by the national veteran bodies herein mentioned, unanimously resolved to appeal, on behalf of all recipients of the war veterans' allowance, a blanket increase, based on the yearly allowance of \$1,125, married status, and \$635, single, or widow, of a thirty-three and one-third per cent. We feel, in this respect the appeal is not too exacting, nor the amount too exorbitant to be incorporated in the present basic, yearly amount. The federation would frown upon any thought of legislating any such increase as a cost of living bonus, or supplementary, by unanimous disapproval.

The proposed increase would substantially improve the domestic and commodity economy of the war veteran allowance recipient, especially those who are totally dependent upon the basic amount, solely. May we respectfully bring to your attention that several thousand eligible for the allowance cannot enjoy the "other income" provided in the Act, either owing to being totally unemployable, or, without other means of receiving the same, that is, the "solely" dependent veteran, or widow, we should feel concerned about when considering the proposed increase.

So far, Mr. Chairman, as that paragraph is concerned the "other income" allowed to the veteran under the old Act has enabled the veteran to go out

to work, shall we say, from April to October and earn that amount which has given him a certain pride in doing and it is not surprising, even from the work that I have to handle, that I can say 25 per cent who come to me ask for employment and say, "I want to go on working. I prefer to go on working rather than take the allowance," and we do without question of doubt work very closely with the Department of Veterans Affairs in that respect.

I am not speaking for the commission for which I work, the Unemployment Insurance Commission; I am speaking from my experience as a pensions officer and I have had pretty nearly twenty-five years handling such work.

The veteran is very pleased to go out to work and he gets his \$250 mentioned there and the single veteran his \$125. There is an example that I would like to respectfully bring to your attention regarding the widow who with her husband who is deceased both had worked to create a home of their own which they are also very proud to possess and she may have two or three rooms that she could rent. Now, under the provisions of \$250 per annum she can get \$5 a week for one room but she cannot rent the other because she would be over the ceiling.

Just as much as the veteran who desires to go out to work for a period, as I have mentioned, there is also the desire of the widow to earn something from the proceeds of her home without going into the business of a rooming house. I am speaking of the widow who as I mentioned, has created a home with her husband and she wants to rent these two rooms but she can only rent one. That is her one source of income where that is done. I would like the committee to give some consideration to that example and that is why I am bringing it to your attention under this section.

7. The increase so recommended would bring the recipient of a married status to a total yearly allowance of \$1,500, and the single to approximately \$850 per annum, increasing the present award, married by \$375; single, approximately \$211 per annum; in each case, amounting to a monthly allowance in ceiling, of \$125 married, and, approximately \$70 single, or widow, status.

In this particular section, Mr. Chairman and comrades, it is the take-home pay of the war veterans' allowance recipient that we are concerned about in so far that there is a certain percentage who can enjoy the other income and there is a certain percentage who cannot and, therefore, we are concerned about the basic or take-home pay of the war veterans' allowance recipient.

8. Irrespective of the figures quoted in paragraph 7, unless the "other income" allowed in the Act is enjoyed by the recipient, he is, and she is, dependent upon the basic cash amount of, at present, married \$850, and \$485 single, per annum, especially in view of the uncertainty of any "other income" casual earnings, and unearned income, in both the sixty to seventy year group, and over.

9. The federation, having studied the good intention of the Hon. Minister of Veterans Affairs in his announcement to the press, of October 31, 1951, the "other income" allowed in the War Veterans Allowance Act does not apply, in cash, only to the seventy year old group, thus creating a controversial division between the two groups, financially, in the total receipt, or benefit, of the W.V.A. We feel that, with every respect, and with the highest esteem, for the minister and his colleagues in the Department of Veterans Affairs, and War Veterans Allowance Board, a rather impulsive, yet well meant gesture, could resolve itself into a source of confusion to the mind of the recipient of the allowance, namely: must I dissolve my war veterans allowance to obtain old age security? A question which has been asked a dozen times of the membership of this federation, especially its pensions officer. The minister and his colleagues, we feel, have a factual reason, based upon wise and excellent judgment—they have our blessing.

Where that is concerned, as I mentioned previously, Mr. Chairman, there has been some revision and there has been this confusion or conflict which may have existed as to whether a war veterans allowance recipient should be concerned about making application for old age security. That has now been cleared up and I would respectfully request, Mr. Chairman and the committee, that not too much attention be paid to that paragraph or the following either, paragraph 10, because at the time this brief was compiled there was a little confusion existing but that has been cleared up.

10. However, and perhaps to the contrary, in the opinion of the members of this committee, the federation strongly recommends that all recipients of the war veterans allowance remain under the jurisdiction of the benefits of the act, as it now stands, and with the proposed increase, irrespective of the age, over seventy, group. The non-veteran from the age of sixty-five and over is the business of the federal and provincial governments. The W.V.A. is the business of the federal government solely. Our proposed increase will compensate the veteran, in cash, for any loss of the "other income" he cannot earn, no matter what age group he is in. Free treatment is a benefit allowed in the Act, hence there is no controversy in that qualification.

Finally, in summarizing the contents of our brief, the federation feels that: the old age security measure should not be confused with the War Veterans Allowance Act, nor should it become a source of confusion to the veteran now receiving the allowance. We, therefore, request to emphasize the need for a thirty-three and one-third increase, of a blanket cover, on the yearly ceiling, of the benefits of the War Veterans Allowance Act.

And this has now been cleared up satisfactorily in so far as our relations to the old age security is concerned.

11. *Summary of the Benefits of the War Veterans Allowance Act*

The following table shows the present rates of the allowance:—

We feel that we did not wish to convey that in the minds of the committee there was not sufficient information about the War Veterans Allowance Act by the members and the veteran members of the House and we felt that in making these tables it would give you some idea of the relation and comparison between the present rate and what we recommend as 33⅓. If you feel that I should summarize those, Mr. Chairman—

The CHAIRMAN: I think the committee have them.

Mr. JONES: I agree with you. I think they are very, very clear where that is concerned.

In an examination of the new bill I do not know—correct me if I am wrong, Mr. Chairman and members of the committee—you have not dealt with liquid assets under the new Act which, of course, forms an important part of the Act. Usually upon an investigation of the applicant for war veterans' allowance the liquid assets that he may possess, such as bonds or cash in the bank is questionable. I feel, Mr. Chairman and comrades, that this can be dealt with and satisfactorily cleared up if you wish to include this in the new bill. If, of course, it is to be incorporated as an administrative or regulative measure so be it; that can be done; but at the present time we do not, I regret to say, see anything in your new bill.

No. 15, of course, covers 14 and 13.

Single Veteran or Widow

| | |
|-----------------------|-----------------------------|
| Allowance | \$485.00 per annum |
| Casual earnings | No set amount |
| Other income | \$125.00 per annum |
| Unearned income | \$ 25.00 per annum |
| | TOTAL.....\$635.00—Ceiling. |

Married Veteran, or Widow, with Child or Children

| | |
|-------------------------------|--------------------|
| Allowance | \$850.00 per annum |
| Casual earnings | No set amount |
| Other income | \$250.00 per annum |
| Unearned income | \$ 25.00 per annum |
| TOTAL.....\$1,125.00—Ceiling. | |

Proposed Increase of a Thirty-three and One-third

| | |
|---|------------------|
| Single veteran, or widow, per annum | \$211.66—approx. |
| Married veteran, or widow, with child or children.....per annum | \$375.00—even. |

Added, Respectively, to Present Amount Would Total, Per Annum

| | |
|--------------------------------|-------------------|
| Single veteran, or widow | \$846.66—Ceiling. |
|--------------------------------|-------------------|

Married Veteran, or Widow, With Child, or Children \$1,500.00 Ceiling

12. If the veteran, of seventy years of age, should wish to dissolve his war veterans allowance, or is persuaded to do so, and replace it by acceptance of old age security, he would receive, in cash:

Married....\$960.00 per annum, with no means test. Basic

Single....\$480.00 per annum, with no means test. Basic

If the veteran, of any age, within the meaning of the War Veterans Allowance Act remains under its jurisdiction, with our proposed increase, he would receive, basic:

Married....\$1,133.00 approx. per annum

Single....\$ 646.00 approx. per annum.

13. There is, within the jurisdiction of the W.V.A. Board, an assistance fund or grant, of \$180.00, per annum allowed the recipient, and is applied where in the opinion of the board it is deemed necessary in a circumstance of need.

14. In presenting our blanket increase, let us not forget the question of liquid assets, and ownership of property value on an assessed basis, both of which are qualifications in the Act, for example:

Liquid Assets Allowable—Married \$1,750.00

Liquid Assets Allowable—Single \$1,000.00

ASSESSED VALUE OF PROPERTY

Married or single

| |
|------------|
| \$4,000.00 |
|------------|

15. Our proposed increase of thirty-three and third would increase the liquid assets:

Married

| |
|------------|
| \$2,333.00 |
|------------|

Single

| |
|------------|
| \$1,333.00 |
|------------|

approximately.

16. Trusting that the Minister of Veterans Affairs, the deputy minister, the chairman of the War Veterans Allowance Board, their colleagues within the Department of Veterans Affairs—Mr. Chairman and members of this veterans' committee will extend every consideration to our appeal on behalf of all recipients of the war veterans allowance who are in desperate need of our proposed increase, in complete support of this brief, respectfully submitted by the Federation of British Canadian Veterans of Canada.

May I add a word or two, Mr. Chairman, in so far as this whole thing is concerned and how we feel about it?

The grants spring from the veteran primarily whether it be a disability pension or war veterans' allowance but you also have a dependent or dependents in each case and, therefore, we feel that cannot be ignored in so far as what I have mentioned as an example, of the widow who has a home and having two or three rooms to rent. As I have said, we have tried to confine ourselves generally to this increase and we trust that you will give it every consideration.

Mr. Chairman, if I may mention, while I am here, we find no fault whatever with the basic structure of war veterans' allowance and its application through the years. It has to our Imperial federation been more than a God-send, perhaps small as it may seem, it has been a God-send to those 2,000 or 3,000 of which we have been speaking.

You would be amazed at the letters we have received thanking us for what we have done and thanking you too as a parliamentary committee for your consideration in this respect.

I think, Mr. Chairman, that is about all I have to say in so far as the increase is concerned and perhaps a minute or two later I would like to clear up a matter which is very strong in the minds of the Imperial federation and which I heard mentioned this morning by the non-pensioned widows and also by numerous organizations in so far as the re-valuation of the pound sterling is concerned as applying to British pensions. Thank you, Mr. Chairman and members of the committee.

The CHAIRMAN: Thank you, Mr. Jones. Mr. Gregory is dominion president. Do you wish to say a word, Mr. Gregory?

Mr. Clifford GREGORY (Dominion President, The Federation of British Canadian Veterans of Canada): Mr. Chairman, hon. members of the committee, there is very little I can add to what Mr. Jones, our pensions officer, has said. He has given you this brief pretty well as the veterans passed it and intended it to be presented and I do wish at this time to thank the hon. members for listening to our presentation. Thank you.

The CHAIRMAN: In accordance with our practice, for a few minutes we will question the officers of the association with respect to their brief.

Mr. LENNARD: I would like to ask Mr. Jones for his comment on the present valuation of the pound sterling as it affects some British Canadian veterans. You mentioned a moment ago that you wished to comment on it.

Mr. JONES: If it meets with your approval, Mr. Chairman, and thank you for the question, Comrade Lennard. It has become a bone of contention, this devaluation of the pound sterling in so far as the British pensioner is concerned. It cannot possibly be new to the members of this committee; you must have heard it from numbers of your constituencies and also war veteran members.

I would like to convey to you what the veterans have done, how far we have gone in determining this question which, I regret to say, is in a matter of abeyance and will remain so for some time to come. Primarily, we wrote to Captain George Bowler, our good friend and representative of the British Ministry of Pensions, asking his opinion regarding any possibility of re-valuating the pound sterling as applying to the British pensioner and I do not think you will mind, Captain Bowler, if I quote a word or two from your letter in this respect—I hope not. He has based his opinion on a survey that he made throughout the dominion, I think, during 1951—the date of this letter is December—and he went from one end of the dominion to the other to ascertain the feelings of the veterans and also to determine how many were unemployed, how the picture of unemployment was affecting the British pensioner. And,

after all, the pension was not granted because of unemployment, it is granted in case of disability and need, and the extent of the disability determines the amount of the pension award.

I am afraid that so far as the revaluation of the pound sterling is concerned the position remains unchanged. I do want to emphasize, however, that we are anxious to consider any cases of hardship that result from this cause.

I am sorry that it would not be possible for a questionnaire from your organization to be sent to our pensioners with their monthly pension cheques.

In that respect we requested Captain Bowler to determine the number that were wholly dependent or partially dependent upon their pensions. We thought a good idea would be to attach a brief questionnaire to the pension cheque and for the pensioner to reply accordingly: are you fully dependant upon your pension cheque or partially, and so forth. But we can quite see Captain Bowler's point: that a recommendation from him would be rather, might I say—I would not say stepping over the ministry in London, England, or the authorities there, but that authority would have to come from that source. We realized that, but it would show that he is vitally interested in this—just as much as the pensioners. Then he goes on:

My own view is that with full employment the position of Imperial veterans throughout the dominion is very much better than represented. You may find it otherwise and I would be glad to receive some concrete evidence of this.

You can see that the door has never been closed against us in that respect in as much as we would like an increase, a revaluation of that pound sterling. Still we were not satisfied with that letter from Captain Bowler and we tried to obtain an interview with the Right Honourable Winston Churchill on his last visit here to determine his views regarding this revaluation of the pound, as to what his ministers thought could be done about it, but we were advised that he was not granting any interviews other than those for which he came to Canada and that was dropped completely.

But we went further than that. We learned that the Honourable Douglas Abbott was going to attend a Stirling Bloc conference in London, England, so at the same time we wrote to him to see if he would contact the minister, Mr. Marquand, in this respect. Mr. Abbott—there is no question that perhaps some of you will agree and others not agree that he is a good financial advisor as far as the Canadian government is concerned—but so far as knowing anything about revaluation of the pound sterling and its effect on the pensioner he regretfully admitted he did not know too much. On the other hand, he did write, sympathizing with our appeal; and, indeed he referred the matter to our good Minister of Veterans Affairs, the Honourable Colonel Lapointe, and he also wrote to us and advised us that in the opinion of the dominion government it was a matter for the British government. The whole matter of the revaluation of the pound sterling affecting the British pensioner is a matter for the British government, definitely. In his letter he states—and I trust that I am not transgressing in reading what he said, it is not a confidential letter:

Dear Mr. Jones,

My colleague, the Minister of Finance, has forwarded to me a copy of your letter of the 12th ultimo

This dated February 13, 1952, and is a reply to his letter of the 23rd:

and his reply of the 23rd, and we have discussed your representations relating to the revaluation of the pound sterling as it affects British pensioners resident in Canada and the United States.

Of which there are 11,000, I believe, Captain Bowler, in Canada, and 4,000 in the United States—British pensioners?

Mr. BOWLER: Yes.

Mr. JONES: And it continues:

There is no need to advise you regarding the difficulties associated with the problem and I have a sincere sympathy for the large number of British pensioners now resident in Canada who are affected by the rate of exchange. The problem, however, is entirely one for the consideration of Her Majesty's United Kingdom government and, as you are aware, the representations you have made have been advanced through the proper channels by Mr. G. H. Bowler, who is the representative of the British Ministry of Pensions in Canada.

I have said I have a sympathetic appreciation of your problem and, at the same time, I should point out that there are Canadian pensioners who, at the present time, are residing in almost every part of the world. Pensions are transmitted to them in Canadian dollars and it is their responsibility to accept any adjustment which may be necessary owing to the exchange rates in effect in the country of residence.

Therefore, while I regret the difficulties the members of your federation are experiencing, there is no further action I can take on your behalf.

Now, that is why I am glad that you have given me an opportunity of bringing that to your attention, to show you how far and to what lengths we have gone in order to clean up this matter, which I regret has been held in abeyance, but not intentionally. Mr. Lennard, I think that satisfies your question.

The CHAIRMAN: Are there any further questions?

Mr. MACLEAN (*Queens*): Certainly that problem does not apply only to residents of Canada receiving British pensions. I imagine there must be a few widows in Canada who receive Australian pensions and New Zealand pensions and possibly pensions from other allies such as the Norwegians and so on; and the rate of exchange would effect all of that as well, would it not? I appreciate that they are only a small group.

The CHAIRMAN: Their position would be the same in principle, but they are so much smaller in number that they would not be affected to as great an extent, although that is the situation with regard to all war veterans of this type.

Mr. JUTRAS: Mr. Jones, I am not quite clear as to what your recommendation is. On page 2, at the bottom of the page, you refer to a blanket increase based on the yearly allowance; and then, on page 4 you refer to a 33 $\frac{1}{3}$ increase in the yearly ceiling. I understand your 33 $\frac{1}{3}$ per cent is based on the present rate?

Mr. JONES: Yes.

Mr. JUTRAS: On the present rate in other words your suggestion is this: you are aware, of course, of the proposed increase changes in the Allowance Act, and you are proposing somewhere around a further \$7.50 per month more than that proposed in the Act. Is that the object?

Mr. JONES: Yes, the difference would be—it would be 33 $\frac{1}{3}$, somewhere around that.

Mr. JUTRAS: In the monthly rate?

Mr. JONES: In the monthly rate, yes.

Mr. JUTRAS: And that would work out at \$7.50 more.

The CHAIRMAN: Any further questions?

Mr. GREEN: Mr. Chairman, I wonder if you could clear up this point which was raised by Mr. Jones, that the new Act makes no provision for liquid assets whereas the old Act did.

The CHAIRMAN: My recollection is, Colonel Garneau, the allowable liquid assets were not stipulated in the old act—were they? They are dealt with by regulation.

Colonel GARNEAU: They were not, sir. It was placed in the regulations—or policy as it was called then—the policy of the board—to permit personal property of \$1,750, just as a yardstick, so to speak.

The CHAIRMAN: So, as you said, Mr. Green, it is the same. The property stipulation is the only one which appears in the present Act; and, as I understand it, that is limited to the equity in the home. That is carried on and extended in the provisions in the proposed Act and it is proposed to continue the policy of allowable liquid assets by regulation as was done in the past. As a matter of fact, there has been no complaint about this method in any of the briefs that have been brought before us. Since it appears to be working, my own feeling is that it is wise to leave it in there.

Mr. GREEN: I presume the power to do that now will be under section 22, clause F, which gives the power to make regulations—gives the Governor in Council power to make regulations.

The CHAIRMAN: Yes.

Mr. GREEN: It reads:

(f) for determining the amount that, for the purposes of this Act, shall be deemed to be the income of a recipient from any interest in real or personal property owned or acquired by the recipient or his spouse;

The CHAIRMAN: That is correct.

Mr. GREEN: Was there any such regulation in the old Act? Was there power given in the existing Act to make a regulation of that kind?

Colonel GARNEAU: There was under the old Act. The minister has the power, on the advice of the board, to make regulations in respect to property; and that is carried through to the present Act, section 22 of which reads as follows:

22. On the advice of the Board and with the approval of the Governor in Council the Minister may make regulations for carrying the purposes and provisions of this Act into effect and, without restricting the generality of the foregoing, may make regulations.

The CHAIRMAN: In the explanatory notes regarding section 22 there is reference to the section of the old Act, section 33, which reads as follows:

33. The Minister may, with the approval of the Governor in Council, make regulations relating to the quorum of a District Authority, the procedure to be followed in matters coming before District Authorities for adjudication, and the procedure to be followed in appeals from adjudications of District Authorities.

Mr. GREEN: Then the situation is that in the Act which is now in effect there is no statutory power given to make regulations?

The CHAIRMAN: Yes, section 33 of the present Act says:

33. The Minister may, with the approval of the Governor in Council, make regulations relating to the quorum of a District Authority, the procedure to be followed in matters coming before District Authorities for adjudication, and the procedure to be followed in appeals from adjudications of District Authorities.

I think perhaps you are right, that the present Act does not set forth, except in a blanket clause giving it power to make regulations—it does not set forth specific details which are now included in the Bill.

Are there any further questions? If not, I would like to express to you, Mr. Jones, and to Mr. Gregory, our deep appreciation for your having come here and made these representations to our committee. I can assure you that the committee have listened with close attention to your recommendations and your resolutions. Thank you very much.

Mr. JONES: Thank you, Mr. Chairman.

Mr. GILLIS: Mr. Chairman, I would like to ask one question before we adjourn.

The CHAIRMAN: We are going on for a little while, but you ask your question.

Mr. GILLIS: I would like to ask one question of Mr. Bowler, and it refers to a question raised by Mrs. Darville as to the Imperial veterans' widow whose husband passes away before he has been 20 years resident in Canada. Well, we know that the recipient of the war veterans allowance, both the widow and the ex-serviceman did suffer because of inadequate income, but I think the important problem as far as the Imperial widow is concerned—the widow who is in Canada for 20 years—was because the husband did not complete the 20 years residence before his death. I would like to ask Mr. Bowler if he has any figures on the number of veterans affected and just how strongly he thinks that matter should be pressed before we complete our sessions on the bill. I think he is the person who could give us the information. He is the representative of the ministry and he has the facts and figures. I would just like to have that on the record with respect to that particular problem, and I think it is an outstanding point.

The CHAIRMAN: Mr. Gillis, I do not think I need to point out to Mr. Bowler that he is entitled to the protection of the chair in matters of policy as a representative of one government speaking to another. I would be very happy, and I am sure the committee would, if he can throw any further light on our question as to how many of these people are involved. But I think I need not say, Mr. Bowler, that the chair absolves you from any attempt to answer the second part of the question and to attempt to express to this committee and through it to the government views in respect to what we should do. You have been too long in the civil service to be caught by that. You may answer as discreetly as you wish. Can you give us that information, Mr. Bowler?

Mr. BOWLER: I have not the information at the moment but I can supply it for you. I can have a breakdown prepared and submitted to your committee at an early date. You will then have a clear picture of the problem. I think I should leave it at that.

The CHAIRMAN: Thank you very much, Captain Bowler.

Mr. GILLIS: The committee will then have a complete picture of it. This is a very real problem, and we want to do what we can for these veterans.

The CHAIRMAN: Before we adjourn, as I said at the beginning we have with us today Dr. Wallace Wilson, who is, I am informed, a departmental authority on the problem of geriatrics—and I will not even attempt to indicate to you what that is—but I am going to ask Dr. Warner, the director general

of treatment service in the department, to tell us what geriatrics is, and then let him introduce Dr. Wilson Totello how it operates in the Department of Veterans Affairs; principally, I think, at the moment, in British Columbia. Will you please come up here gentlemen, so we can get your remarks on the record?

Mr. CRUICKSHANK: He is a good man.

Dr. W. P. WARNER, (Director General, Treatment Services, Department of Veterans Affairs): Mr. Chairman, for some time we have thought that there is a gap between the time the treatment was given and the time that a man was put back into civic street with the greatest opportunity; and that applied mostly to the upper age group, who include class 6 and 5-B. Now then, for some years nothing much happened until we were fortunate enough to get Dr. Wilson, who is a professor in geriatrics, which is the care of the aged and the ageing, and for some unknown reason we picked on British Columbia as the best place to introduce it.

Dr. Wilson has started a new work which we feel is fundamental in looking after veterans, and he is really tied up with what you are talking about, W.V.A. particularly. Without further ado I present to you Dr. Wilson.

Dr. WALLACE A. WILSON, (Adviser in Geriatrics to Director General of Treatment Services, D.V.A.): Mr. Chairman and gentlemen, I am as Dr. Warner has told you, adviser in geriatrics to the Ministry of Veterans Affairs, and I am fortunate enough to serve on the Pacific coast. And this is our story. I hope I can tell to you, in what I know is the short time you have, what I consider to be our progress in the field of geriatrics, more the treatment of the ageing and the aged, as far as it refers to our veterans in the Vancouver area.

As Dr. Warner has said, the question of more adequate care of the older aged veteran has been one that has been troubling me for some time; so he discussed this matter with me and it was decided we would start in to do something in the Vancouver area, since I happened to have my office there. Now, we thought that it was a good thing to start off with to do a survey of some 500 class 6 patients in our institution in the Vancouver area. Now, the class 6 patients, as you know, are the older aged veterans who for one reason or another have not been able to carry on outside and we have taken on their care in our class 6 institutions. Now, primarily, the man is admitted to class 6 because he is considered to be physically or mentally incapable of looking after himself outside. So we started in to make this survey. We had a team of medical men and social service workers, and every man in our class 6 institutions was completely examined and was interviewed and his problems were discussed with him by medical and social service workers, and where necessary by psychologists; and then we gathered together our results and what we had gathered together was to us very interesting. We found, for instance, that there were a great many men in our Class 6 institutions who were not there from choice, that they had come in, a very considerable number of them, not because they were physically and/or mentally incapable of looking after themselves outside but for a great many reasons—sociological, economical, family trouble and so on, inability to find accommodation to live in, inability to get a job and so on, but who were, according to our standards, quite capable of looking after themselves outside if certain conditions were made right for them outside.

We found also that under our present system of caring for these men, taking them in and letting them sit around and not do anything, that there was a very definite psychological deterioration in these men. They had done everything else they could before they ever came in. They came into our Class 6 institutions sort of as a last step and as a "court of last resort" and when they walked in, the door was closed, as far as they were concerned, on them returning to the community in which they had lived and that was bad for them morally, mentally and physically.

Now, we developed a certain philosophy in regard to this whole problem and the philosophy went along this line. First of all, we considered that it was very definitely in the man's own interest as far as his welfare was concerned, as far as his morale was concerned and his physical health was concerned in the majority of cases that he should remain, if we could make it possible for him, a member of the community in which he was living for as long as possible.

We considered that in every case, looking at the man's interest as a whole, that we must not look only at his disabilities but at his assets and while we did what we could for his disabilities we must also develop his assets. We felt that we could not divorce his medical picture from his economical or sociological picture and then again we felt that every man was an individual whose problem was his problem and his problem only and they must be considered from that angle.

So we started in, after we had done this survey, and we set up what we called an "assessment and rehabilitation board". Now, that was the first step we took. The second step that followed along was the step of reorganizing the program for the Class 6 men who were in our care.

The assessment and rehabilitation board, as we have set it up, consists of two or three doctors, medical, social service workers, a psychologist, and they have available at their call all the facilities of the department, that is, all the facilities of the consultation service within the hospital, all the facilities of the welfare branch outside the hospital and as part of our educational program we went to the city and provincial health authorities, told them what our program was going to be and solicited and have been receiving their cooperation in every way with regard to the men who have come to us for various reasons other than their inability to live outside alone to be taken into Class 6, and we have attempted to rehabilitate them in the community without bringing them into our Class 6.

Now, as I said before, it is better—in every way better, for a man to remain in the community in which he lives. It is better in every way, if that man is able, that he be employed in that community. If he is employed in that community, it does not matter very much what he is doing, how productive it is, but if he is interested in what he is doing and he has got a job, he has a sense of self-respect, he has a sense of feeling wanted, and that is something I would like to see as part and parcel of the natural dignity of every veteran who is living in Canada and I speak now of the older veteran.

If I may digress for a moment, Mr. Chairman, to just give you an example of what I mean: I had in my home coming in at intervals a charwoman, a little wisp of a woman, bright, active, happy, who was one of twelve children brought up in humble and poor circumstances. She had a family of six and that family was being brought up very well. I said to that woman one day, "Mrs. So-and-So, what does your husband do?" And I will never forget this, she stood up from where she was stooping over dusting and with very definite pride in her voice she said, "Doctor, my husband is in the sewers." Now, she said that to me in the same way that another woman might say, "My husband is in the bank," "My husband is in the civil service," or "My husband is a member of parliament." But you can picture the natural dignity of that little woman and her pride in her husband's occupation, that he had a job and that he was contributing something to the community in which he lived.

I think it is a very essential part in the sum total of happiness of the older aged group in Canada, whether they be civilians or returned men, that they should be given that wherever possible.

So we started in our assessment and rehabilitation board and we asked that all applicants for Class 6 should be referred to us and that has been done, and they are completely assessed from a medical, sociological, physical and

mental standpoint and then we decide whether we consider that they should be taken in or that every attempt should be made to re-establish them in the community.

We have split them into four or five groups. The first group is a man who is physically and/or mentally capable of living outside and, if he has an opportunity, capable of doing some work; two, a man who is physically and/or mentally capable of living outside but is not capable of doing a job and when I say capable of employment, people capable of cooking their own meals; and three, the man who is capable of living outside under a certain amount of supervision but who should have all meals provided for him.

Now, I say "supervision." You would be surprised, or maybe you would not, about the number of men whom we find in our Class 6 institutions who were not there because they were unable to live outside but were there because of the fear that they had of taking ill in a shack or in a room and nobody finding them there. That was a very definite fear with a very definite number of these men. One man was in, I found out, for the very definite reason that out at the soldiers' plot he had a number of his old buddies and he was determined he was going to lie with them when his time came and he was sure that the safest way of getting put into that soldiers' plot was to be in a Department of Veterans Affairs institution at the time he died.

So part of this re-assessment was to get all the information we could get. We get all the information we could quite reasonably of the man's circumstances outside with regard to his family—and mind you, a tremendous number, 50 per cent almost of the men in Highcroft, have not a living relative within five hundred miles and they are rather a lonely group. Then we try and fit them back.

I am not going to bother you with figures, but up to a minimum—I forget how many months—but up to this time, say, six months of last year as compared with the same six months of the previous year, we have placed back in the community about 50 per cent more men than were placed back in that previous time. That is, we took in 50 per cent more as Class 6 patients than we are now doing and we are not taking in very many of the first three groups that are able to look after themselves outside if we can possibly place them in the community.

In order to do that, we must have cooperation in all parts of the Department of Veterans Affairs and we are getting that. Welfare in the hospital goes to welfare outside when a man goes back to his community. I went over to New Westminster just before I came away and I talked to the secretaries of the Legion branches on the lower mainland and I told them what we were doing and they said right away, "We wish you would tell us how we can help in this program, how we can help in the re-establishment of these men who went to you for one reason or another for Class 6 care, and you have decided that they can remain in the community." And we are going to make arrangements with every one of these men whom we return to the outside, right away we will notify the secretary of the Legion in the community in which he is residing and they will take him on as one of our special geriatric cases and not wait until the man comes with further difficulties, to look him up once in a while and to see that everything is going along all right.

We are also examining the war veterans' allowance applicants who are under sixty and who have some disability and we are trying to place them in the same way and see that they can get a job and get established so that they will not be dependent on the department as far as the war veterans' allowance is concerned.

I would point out to you gentlemen particularly with reference to the older aged group and the applicants for Class 6 who are really able to do some work that it is not easy for these men to find employment. Now, the

National Employment Service are very good and they cooperate very well with us, but it is difficult for them to give the personal service and follow-through which we are attempting to do, and instead of giving one of these men a list of four or five jobs to try and get, we try and get a job for him so that he has a job when he leaves us. We are getting, I think, very fair results.

Of course, this whole question of age we have been looking at from the wrong standpoint. The question of retirement on chronological age or unemployment on a chronological age basis is all wrong—entirely wrong. As you know very well, more and more of our people are living longer and longer. The average increase in live expectancy since the turn of the century has been just twenty years and we have got to realize that we are getting an ever-increasing number of old people and we must try and place more and more of them at productive work in the community.

I think my time should be about up.

The CHAIRMAN: No, we are enjoying the story.

Dr. WILSON: I would like to tell you about something that we are doing in trying to reorganize the program for the veterans whom we have accepted as Class 6 men. We did not find it easy when we went into this institution where these elderly patients had been for a very considerable number of years, many of them, lying around, doing nothing and just waiting for the day. But, as I have said, there was a certain amount of psychological deterioration, they had got into a rut and it was not easy for us to come in to them and say, "We are going to put you to work and make you do what you are capable of doing after looking over whatever assets you have," and everyone has some assets. So at Highcroft we got a well trained, sympathetic, energetic, enthusiastic as far as old men was concerned, welfare officer and we put him in charge and he started in at first and interviewed every man in that institution, taking an hour sometimes, preaching this philosophy I have been telling you about, that it would be better if he were active or had something to do. I must say I admire his persistence and I admire the results he got. Certain of them, about nine, said, "No, we are not going to do anything; we are here to be looked after by the government and here we are going to stay and you have to look after us." The vast majority of them said they would do something and they discussed with them what they could do and what they would like to do and a great many of them are now occupied. They like it a great deal, their average age is between seventy-one and seventy-two years and you would be surprised how active some of them are. For instance, the welfare officer discovered a man of seventy-three there who had been a typist. He now does all of the typing and to see him running around Highcroft with a bundle of papers under his arm you would think he was running the institution and he is getting enjoyment out of life that he never had before.

Before we really got going on this program I went down and sat in on a meeting of the council of the British Columbia Command of the Legion and told them this story and said, "You will probably be having some of the men from our Class 6 institution coming down and telling you we are trying to put the lot of them to work. Now, this is the story—" and they approved of the program entirely and when, as we expected, a few of the old men did go down to the Legion, they were told there was nothing compulsory about it but that it was good for them and that if the doctor said they were able to do something, they had better go back and do it.

It required a lot of education to educate our staff up to this too. They had been educated to looking after these old men in a very paternalistic manner and we had to do some re-educating. Then, we had a job analysis of our

institution to see how many jobs were available or part-time jobs or bits of work that these old men could do, and when we went into the dining room and the kitchen, right away the dietician said, "I am not going to have these old men around under our feet in the dining room or kitchen." The gardener the same way, the carpenter the same way; so we got these people together and said, "Now look, you are part of this treatment team the same as the rest of us and if we think it is good for a man to work in your garden and he wants to work in your garden, it is part of the treatment program and doing the work will keep him occupied." And we are getting co-operation and we are getting results.

I am convinced from the visits that I have made to that institution that we are getting a different atmosphere in that institution. One of the questions that was asked right away by the Legion was, "Are you going to pay these men if you want them to do some work?" I said that I still had an open mind on that question but that at the present time no. In the first place, where a man is living in our Class 6 institution, that is his home. Ordinarily, if you are living in a home, you expect to do the odd little thing around that home and you take pride in doing it because it is your home and, on the other hand, it is not the regular thing for a doctor or a team to prescribe what they really honestly think is good treatment for a man and then expect to pay him for taking that treatment at the same time. So I have still got an open mind but we are not paying them at the present time and we have not had any complaints with regard to it.

I think, Mr. Chairman, that I have given you the crux of the matter. We are going to spread this program right across Canada in our D.V.A. hospitals and institutions. The first year was a pilot plan with money from the research fund available to the department. In Vancouver it is now an integral part of the treatment service. We find that with this program getting under way and into co-ordination that in addition to the referrals for Class 6 of the older men, the team is getting referrals from the doctors in the hospitals of men who are not in the old age class but who are providing a problem in rehabilitation outside, and they say, "This is a co-ordinated team that is doing this work. We are finished with our actual treatments. We turn this man over for placement back as a member of the community." And I see the program growing. I see it growing not only in the Department of Veterans Affairs but I see it growing and growing from our work in civilian life.

As a result of the work that we have been doing at Shaughnessy, the heads of the social work out at the university sat in at our screening clinics and they said, "We would like to send some of our final year students here to do some field work with your unit because you have an integrated team that will provide valuable experience for our students." And the Community Chest Council heard what we were doing and looked into it and came to me and said, "We would like very much if you would establish within the Community Chest Council a committee in welfare of the aged and see what can be done in the civilian population." Well, I took that on for a year and I think we made very definite progress. We set up a subcommittee on housing and inveigled Dr. Walter S. Woods, who was for a long time, as you know, the deputy minister of our department and who had or thought he had retired out to Vancouver, to take on the chairmanship of this committee and he has been as busy as a beaver and they are getting a building program going in a small way, it is true, to start with, on subsidized housing for old people and we hope that they will get ahead. They have seen the provincial authorities, the Central Mortgage and Housing, and they have raised some money, the first amount that is required, by private means and the first unit will provide housing for a certain number of married couples and single people who will be war veterans' allowance recipients or people with a small pension or old age pensioners in the

province, and they will be able to get accommodation there at a rate that their income will permit them to pay and live in comfort.

We have also set up a committee on chronic illness and I would like to say here—I am not in a position to speak for the rest of Canada, but in the province of British Columbia the chronically ill are the forgotten people. It is very difficult to look at the program that we are building up in our institutions for these old people and to think of the chronically ill in civilian life who are largely looked after in private nursing homes, if they can get into them—the shortage of beds is extreme—but there is no treatment in those private nursing homes whatsoever in the way of rehabilitation, physical, medicine, occupational therapy and so on. So that committee has arranged to go into a private nursing home in Vancouver and start a complete program of rehabilitation amongst those patients in that private nursing home and they are doing that with the consent of the proprietor and with the consent of the doctors who are looking after these patients.

So I look, Mr. Chairman, for this program to grow and I think it will grow. Certainly we have got them going in our department's mental hospitals in Calgary, Victoria, Regina, Edmonton and one has been going for six months in Montreal. We will get it eventually in all our institutions across Canada and I am satisfied that when we get it going, the philosophy will filter out into civilian life and that we will have made an important contribution to the rehabilitation of older people in Canada.

The CHAIRMAN: Dr. Wilson, it needs no words of mine to tell you that your words were listened to with rapt attention and with interest by the members of this committee, and I think perhaps—it is not unusual in parliamentary life to meet a man with ideas and sometimes men with vision, but we have learned to be skeptical sometimes about people with ideas because so few of them ever do anything about it. This morning we have been privileged to listen to someone who did have an idea and who had the capacity to do something about it, and I suspect the members of the committee will feel, after listening this morning, that at least some part of the change in thinking in the department and in the country generally with regard to war veterans' allowance stems from the ideas and the inspiration and the result of the program in the treatments branch.

Mr. CRUICKSHANK: May I say a word?

The CHAIRMAN: If you will allow me to say a sentence I will be glad to recognize you. I was going to say that sometimes as chairman—I want to paraphrase the Scriptures if I can, "No good can come out of Nazareth," and I have long thought looking at Howard Green and George Cruickshank that "No good can come out of Vancouver." And I was going to say this morning that finally something good has come out of Vancouver.

Mr. CRUICKSHANK: I was going to say, only you have taken up so much time speaking on behalf of Howard Green and myself, how pleased we were to hear Mrs. Darville for the province of British Columbia, which she so ably represented here on behalf of the women, and also to express my appreciation—and I know I am speaking for Howard—for the excellent talk we have had from Dr. Wallace Wilson. Howard, you and I probably know better than the rest of you that Dr. Wilson is one of the best known medical men in the province of British Columbia and one of the highest regarded.

I do appreciate the fact that he had to go to university with my sister.

Mr. GREEN: I would just like to add a word. As you know, Dr. Wilson is one of the outstanding physicians in Canada and a past president of the Canadian Medical Association. He is in this work as a contribution to the welfare of his fellow veterans, he having served in both world wars with distinction. So you will understand why we are so proud of having him appear here today.

Incidentally, he is also the chairman of the Community Chest and Council of the city of Vancouver at the present time. So that his contribution to his fellow Canadians is not limited to his medical work.

We are very proud of Dr. Wilson, Mr. Chairman, and very glad that he is devoting his time now so largely to the welfare of the veterans of Canada.

Mr. HERRIDGE: Mr. Chairman, before we adjourn, I would like to express our appreciation for having the opportunity of listening to Dr. Wilson. While he was speaking I was thinking how true the things he was saying are, even from our personal experience. Just before I came down here I met three veterans who had gone into an institution because they were afraid to live out in their cabins in case they might meet with an accident or become ill and not be found. I had a letter recently from a millworker who had retired at seventy-five years of age and he wants to find something to do—"I can't stand inactivity."

The CHAIRMAN: There will not be a meeting Monday because some of our chaps want to go to the Legion convention and if you will adjourn to the call of the chair, subject to any unforeseen changes, the next meeting will be Friday morning next.

Some of the members have suggested that if there was no conflict with the main committee which does conflict with us, namely, Defence Expenditures, we might meet on Thursday instead of Friday. I will take that into consideration but unless you hear to the contrary your notice will be for Friday.

The committee adjourned.

100
m
m
A1
(C2
15V21
Canada Veterans Affairs
Special Committee 1952
HOUSE OF COMMONS

Sixth Session—Twenty-first Parliament, 1952

SPECIAL COMMITTEE

ON

VETERANS AFFAIRS

CHAIRMAN—MR. L. A. MUTCH

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 4

FRIDAY, MAY 23, 1952

WITNESSES:

Mr. E. L. M. Burns, Deputy Minister; Mr. W. G. Gunn, Q.C., Director, Legal Division, and Mr. G. H. Parliament, Director General of Veterans Welfare Services, Department of Veterans Affairs.

Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board.

ORDER OF REFERENCE

THURSDAY, May 22, 1952.

Ordered,—That the name of Mr. Carroll be substituted for that of Mr. George on the said Committee.

Attest.

LEON J. RAYMOND,
Clerk of the House.

MINUTES OF PROCEEDINGS

FRIDAY, May 23, 1952.

The Special Committee on Veterans Affairs met at 11 o'clock a.m., the Chairman, Mr. L. A. Mutch, presiding.

Members present: Messrs. Balcom, Bennett, Carter, Cruickshank, Dickey, Gillis, Green, Herridge, Jutras, Lennard, MacDougall, MacLean (*Queens*), Mott, Mutch, Quelch, Ross (*Souris*), Thomas, Weaver, White (*Hastings-Peterborough*).

In attendance: Mr. E. L. M. Burns, Deputy Minister, Mr. W. G. Gunn, Q.C., Director, Legal Division, and Mr. G. H. Parliament, Director General of Veterans Welfare Services, Department of Veterans Affairs; Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board.

Mr. Garneau corrected certain evidence he had given the Committee on May 9.

Mr. White moved that the Committee recommend that the Government give consideration to introducing legislation during the present session of Parliament which will give effect to the representations submitted to the Committee by the Legion and National Council of Veterans that the rates of allowance and the maximum total incomes set out in the schedules to Bill 181 should be increased.

After discussion, Mr. Jutras moved in amendment thereto that the specific recommendations of the Canadian Legion and the National Council of Veteran Associations in Canada be considered when the relevant clauses of Bill 181 are under discussion.

And a point of order being raised that Mr. Jutras' amendment was out of order on the ground that it was a negative of the main motion, and it being one o'clock, the Chairman reserved his ruling until the next meeting of the Committee.

On motion of Mr. Green, at 1 o'clock p.m. the committee adjourned to the call of the Chair.

A. L. BURGESS,
Clerk of the Committee.

CORRIGENDUM

Evidence, Friday, May 16, 1952, p. 81, line 17:
in our department's mental hospitals should read
in our departmental hospitals

EVIDENCE

May 23, 1952, 11.00 a.m.

The CHAIRMAN: Gentlemen, I see a quorum. The arrangement we made at our last meeting was that we would begin our deliberations this morning with respect to Bill 181, an Act respecting allowances for war veterans and their dependents.

The chairman of the War Veterans' Allowance Board informs me that at our first meeting he made a statement which was in error and he has addressed a letter to the Chairman correcting that statement. It appears that he read from the wrong file. We can have him read a corrected statement now or pass around copies of the statement and give one to the clerk, whichever is the committee's desire.

Mr. MACDOUGALL: Is this correction in connection with this bill?

The CHAIRMAN: This correction is in connection with this bill, yes. I think I will ask Colonel Garneau to read it for us, and if anybody wants copies I have them here.

Mr. F. J. G. GARNEAU (Chairman, War Veterans Allowance Board):

Mr. Chairman, with your permission, I beg leave to introduce an amending statement to my brief presented to your committee on May 9th, 1952, to correct the statistics which I quoted in my closing remarks of its presentation.

While the figures I furnished on that date were correct in themselves, they were cumulative and did not represent the actual number of veterans in receipt of allowances as at March 1st, 1952.

The idea of adding those statistics for the information of the committee occurred to me as I had finished preparing my brief and, in my hurry to include them, I regret to say that I got hold of the wrong file.

I wish also to add that, because of this mistake, I unwittingly submitted the wrong figures with respect to the percentage of recipients under sixty years of age and those sixty years of age or over when I stated that they were respectively 46 per cent and 54 per cent. The present percentage is appreciably different.

The figures I am now submitting as correct are up-to-date, as at April 1, 1952, instead of as at March 1st, 1952.

The actual percentage of veterans under sixty years of age to that of those sixty years of age or over is in the ratio of 25 per cent to 75 per cent.

The percentage with respect to widows on allowances, under fifty-five years of age, is 16.58 per cent, and for those fifty-five years of age or over, 83.42 per cent.

This would total, approximately, 32 per cent overall under sixty years of age, and 68 per cent of those sixty years of age or over, for all recipients.

As at April 1, 1952, there was a total of 38,021 recipients of War Veterans' Allowance, of which 29,137 were veterans, 8,736 widows, and 86 accounts of orphans which represent 148 orphans, at an annual liability of \$21,500,000.

The correct breakdown of veteran recipients *by wars* as at April 1, 1952, is as follows:

| | |
|--|--------|
| North West Field Force | 40 |
| South African War | 276 |
| World War I | 24,488 |
| World War II | 1,618 |
| Dual Service veterans | 390 |
| Ex-Imperials admitted under the 1950 amendments | 2,325 |
| Total Veterans | 29,137 |

Mr. GREEN: Colonel Garneau, in your first percentages there, did you include widows?

Mr. GARNEAU: No, sir, I just added that.

Mr. GREEN: In other words, there are two separate groups. You have given percentages for all widows and all men.

The CHAIRMAN: Today, but in the original presentation he said the 46 per cent included the widows.

Mr. GREEN: I asked that because if the widows were included in the first figure then there would be one group from 55 to 60.

The CHAIRMAN: The widows were included in the first group, and the real difference is the difference between 46 and 32, is that not correct?

Mr. GARNEAU: Roughly.

Mr. JUTRAS: What was the total, the total recipients of war veterans' allowance?

Mr. GARNEAU: 38,021.

Mr. JUTRAS: That is the total number of recipients of war veterans' allowances as of March 1?

Mr. GARNEAU: Yes, but in my statement here—I believe I gave the same basis in the other one—the total number of veterans, 29,137, my purpose was to set out the veterans only by wars in which they served.

Mr. JUTRAS: 29,000?

Mr. GARNEAU: 29,137.

The CHAIRMAN: If anybody wants a copy of that statement, I have extra copies here.

The discussion, gentlemen, is on Bill 181, and we are now on clause 2—that is the customary place to start, interpretation.

Mr. WHITE: Mr. Chairman, before you proceed with the bill there is a motion I would like to move. I move, seconded by Mr. Green, that the committee recommend that the government give consideration to introducing legislation during the present session of parliament which will give effect to the representations submitted to committee by the Legion and National Council of Veterans that the rates of allowance and the maximum total incomes set out in the schedules to Bill 181 should be increased.

Now, Mr. Chairman, I do not probably have to make any extended remarks regarding this motion because it speaks for itself. We have all heard and read the recommendations submitted by these various organizations who appeared before the committee, and in their brief they submitted certain cases and other information in support of the recommendations that they made, and I hardly need to point out that every member of the committee through yourself probably knows of individual cases in his community where a veteran receiving allowances under this Act has suffered under a great disability. Now, Mr. Chairman, in case someone may say that this motion will tend to delay the passing of the bill for payment of the increased benefits to the veterans, which will be retroactive to January 1, 1952, I will point out that if the motion receives the support of the committee it could be presented in the House today and at one of our meetings next week, gentlemen, we could, no doubt, have the answer of the government, and in the meantime there probably would be no reason why the bill could not be proceeded with clause by clause and approved and reported. I point out, further, that there is a precedent for this motion, because those of us who were members of the last Veterans Affairs Committee will recall a similar motion whereby the committee recommended to the government that consideration be given to increased basic rates of pension. That motion was passed and the recommendation made and the government did act upon the

recommendation of the veterans committee. So, therefore, I would appeal to the members of the committee to support this motion for, in my opinion, if the bill passes at the rates of allowances set out in the schedule it will be a long time before we have an opportunity to make further recommendations.

The CHAIRMAN: Gentlemen, I accept the motion, but I think I should point out that the proper place for making such an amendment would be on the clause of the bill—since we are now considering the bill clause by clause—which deals with the basic amount, but perhaps it would facilitate the discussion, gentlemen, if we were to deal with it as it arises. We are all familiar with the change in the recommendation in the basic rate and it seems to me that perhaps we will clear the air and get on with the business of the committee if we deal with it promptly. There is a motion, then, moved by Mr. White and seconded by Mr. Green, that the committee recommend that the government give consideration to introducing legislation during the present session of parliament which will give effect to the representations submitted to the committee by the Legion and National Council of Veterans that the rate of allowance and the maximum total incomes set out in the schedule to Bill 181 should be increased. I presume you mean, Mr. White, that these should be increased by the extent of the Legion recommendations, is that your suggestion?

Mr. WHITE: That would be the intent of the recommendations and the figures submitted by the Legion and the National Council.

Mr. QUELCH: Both in regard to the War Veterans' Allowance and to permissible income.

The CHAIRMAN: The permissible income is in a schedule to bill 181.

Mr. JUTRAS: What is this motion, Mr. Chairman? I am not quite clear what is being suggested there.

The CHAIRMAN: There is a motion before you. Does anyone wish to elaborate on it?

Mr. HERRIDGE: Mr. Chairman, in a very few words, I want to express my support of the motion as moved by Mr. White. I think he was correct in saying that we have a precedent for such a motion, and that it finally achieved some results. Therefore, in order to facilitate the work of the committee I express my support of this motion.

Mr. QUELCH: I shall be brief too. I support the motion, both in regard to the increase in the amount of the allowance and in regard to permissible income. But while the bill, I think, is a very definite improvement on the present Act, and while it does provide for an increase of approximately \$10 a month for the recipient of War Veterans' Allowance, I do not think it deals adequately with the question of permissible income. It seems to me that the whole Act is weighted in favour of the veteran who is able to take employment, while little or no consideration has been given to the veterans who need help the most, those veterans who are unemployable, let us say, or 100 per cent disabled. So it seems to me there would be discrimination against the veteran who is in receipt of a small disability pension, apart from the \$10 increase, and there should be absolutely no benefit to that man in regard to the amount of income he can earn. As a result of this bill, the amount of pension he receives will be deducted from the War Veterans' Allowance, apart from \$120 for a married man and \$110 for a single man. On the other hand, we do quite a bit for the man who is able to work. Under section 4 we give what I would call a fairly good concession in that regard. But the fact that section 4 provides that a man can go on a monthly rather than a yearly ceiling does not help the man who is not able to work, and I think many of them are those who are 100 per cent disabled.

Mr. GREEN: Mr. Chairman, this motion, if it is adopted, would result in a recommendation going to the House from the committee to the effect that the

government should give consideration to introducing at the present session legislation which would give effect to the representations made by the Legion and the National Council, that the rates of allowance and the maximum total incomes set out in the bill we are considering should be increased. The same recommendations were made by both of those great veterans' organizations. There was no disagreement between them. The recommendations on these points were identically the same; and I suggest to the members of the committee that those particular recommendations concerning the increase in the basic rate of war veterans' allowance and in the maximum total income which we have been describing as the permissive income are the most important features of this bill. They are the most important questions facing the war veterans' allowance recipients. And as I said before, the motion recommends consideration by the government. In effect it means we are asking the government to give further consideration to these rates of allowance, and to the ceilings on income as recommended by these veterans' organizations.

This committee is made up entirely of veterans. I suggest to you, Mr. Chairman, and to my fellow members, that we veterans should not accept the responsibility of slamming the door on those two great veterans' organizations, when they make these requests. If we vote down this resolution, in effect what we will be saying is that we, as a committee, are against the increases as suggested by the veterans' organizations. I think it would be tragic, if a committee on Veterans' Affairs made up entirely of veterans, should slam the door in that way.

We, at least, should take this first step of asking the government to give further consideration to these two questions, of the amount of the War Veterans' Allowance and of the ceilings on income. When we get a reply from the government there may be further argument about it. We may not all be satisfied with the reply that we get, but at least the veterans of Canada are entitled to have these requests put to the government; that there be further consideration.

And for myself, personally, I believe that the request for an increase is entirely reasonable, particularly if the payments under the War Veterans' Allowance Assistance Fund are merged in the War Veterans' Allowance itself, and that was the recommendation of both of these bodies. They would be included in the increase to \$60 for a single veteran and \$120 for a married veteran. The War Veterans' Allowance Assistance Fund, as you know, entitled the single veteran to get a maximum of \$10 per month, and a married veteran the maximum of \$15 per month. That is to say, we are willing to have that vote, which is called an assistance fund, wiped out, if the increases in the allowance which we recommend are granted. I think that is entirely reasonable.

The two groups particularly affected are first the veterans who are unemployable, the War Veterans' Allowance recipients who are unemployable. They have no chance of benefitting under the new section 4 which permits work, and permits an election to go on a monthly basis. It would also be a great improvement for the small pensioner; he, I think, is entitled to get that increase; to have the figure increased to \$60, and \$120. Those two groups, as these great veterans' organizations pointed out so carefully, will not get any benefit from section 4 unless, of course, the pensioner is able to work. But I think they are entitled to have an increase made in the general rate of allowance.

And then with regard to the ceilings on income, this bill actually cuts down the amount that a veteran can earn over his allowance. It cuts the single veteran from \$125 to \$120 a year; and it cuts the married veteran from \$250 to \$120 a year. That is extremely bad. I do not think that there can be any justification whatever for reducing the amount of permissive income, and I

do hope that the government will give favourable consideration to both these points to these recommendations which have been made by the large veterans' organizations.

Mr. Ross: Mr. Chairman, I would just like to say a word in support of this motion. First of all I think that the presentation of the brief by the Canadian Legion and the National Council was modest and reasonable, that they had plenty of information for the briefs which they presented and I think that most of us here have personally heard of many cases of hardship to these burnt out war veterans.

There is one objection I take very strongly and that is that the permissive income, the ceiling as proposed by the bill I think is totally inadequate. They certainly are not satisfactory and I think that if consideration was given to the work that these two organizations have put into gathering information for these briefs that the least this committee could do is to support those recommendations because, as I say, they are very, very reasonable and the amount that has been suggested for war veterans' allowance is not sufficient in the bill and, as I say again, the permissible income, the ceiling, is entirely too low altogether, totally inadequate.

I hope this committee will see fit to support this bill and we have, as has been pointed out, a precedent in the past, and while the government did listen in time to those presentations those organizations are now benefiting by that and I hope we will see fit as a committee to support this resolution.

Mr. GILLIS: Mr. Chairman, I am not going to discuss the bill because I think any discussion on the bill as such is out of order.

The CHAIRMAN: I have permitted a general discussion on clause 2.

Mr. GILLIS: That still does not bring it into order. The motion in effect is that the bill not be read but be referred back to the government to bring it in line with the recommendations of the veterans whom we have heard before this committee. Now, I am in agreement with that motion and I think by accepting it we are going to save a lot of time. The bill itself was drafted by the government before they knew the wishes of the Legion. That is their business as it is the business of this committee to consider any legislation regardless of what anyone outside may think of it.

I said in the House when the bill was brought down that I felt that if we insisted on the terms of this bill that we would be here an awfully long time discussing it because it is a long way from meeting the thinking of the representatives of the veterans' organizations in this country. The Legion made six specific recommendations and the bill does not meet those recommendations in any respect.

In addition to that I think that what we are doing now by way of veterans' legislation is going to stand for some time and I think in finalizing these things that we should be pretty careful that they are all that they should be. For example, we had an eminent British Columbia doctor before this committee on Friday who made a twenty-minute statement just at the close which nobody had an opportunity of considering or discussing. That is going to have a very direct bearing on this war veterans' allowance in future, that statement that he made in regard to geriatrics, for example. In effect it means the re-training of the older veterans who come under veterans' allowance. On figures given to us this morning as to the percentage of age group veterans on veterans' allowance, we note that 75 per cent of those on war veterans' allowance are over sixty years of age. That is the group that is going to come under geriatrics, re-training.

Another bad feature of that gentleman's statement that I listened to was that he is the chairman of the Vancouver Community Chest. The Community Chest in Vancouver and every other city is a charitable organization and if the

scheme that he outlined here is to be given effect to in the veterans' hospitals across the country, it means that we are going to throw out into the stream of charity about 75 per cent of those on war veterans' allowance for the purpose of re-training them.

Now, if there is any step to be taken such as that, affecting that group of veterans, in my opinion it should be written into the legislation and there should be definite regulations that we understand.

I think we can all realize the repercussions of what that means. It is a scheme on the older veterans and on that particular point if the government intends to enact some kind of legislation or, I mean, if they are going to permit that sort of a scheme to take effect with the cooperation of the Department of Veterans Affairs, then there should be some definite regulation as to how far they can go, what is going to be done and what are the rights of the veterans under the veterans' care under that particular scheme of things. I think it is a very important matter and it should be given consideration.

Now, I would suggest to the committee that the bill before us now is merely in the form of a kite, that it was drafted for the purpose of putting it before this committee to give the veterans' organizations a basis for discussion before the committee before their convention.

Now, that has been done. We have had a discussion on this bill and in addition to that I think every member of this committee has received a telegram from Group Captain Watts to the effect that the matter of their presentation to the committee was before their convention—that is the final tribunal of their organization—and he indicates in that letter that the convention reiterated the demands made by the dominion executive before the committee and that the six-point program with regard to veterans' allowance recommended here was the considered opinion of that organization representing the broad body of organizations across the country unanimously, and I think we will save a lot of time and be fair to the government if we state that this bill has served its purpose. It has been the basis of discussion; we have had the opinion of the veterans' organizations on it. We do not think it meets the requirements necessary today to consolidate this War Veterans' Allowance Act and that in addition to the other aspects of the Act, rates and so forth, that that question of geriatrics, the re-training of the old men, should be given serious consideration and definite legislation laid down.

As one of the members of this committee I am completely opposed to any suggestion coming from any source that presupposes that the older veteran who is in these institutions because of inadequate income, a breakdown in health and medically unfit is going to be placed in this geriatric business under the care of a charitable or pseudo-charitable organization across this country and that they are going to root him back into some kind of employment. I object to that and if we are going to engage in that kind of scheme it should definitely be part of this Act, it should be administered by the Department of Veterans Affairs and the Community Chests or charitable organizations should not be given any entree into the administration and considerations of the war veterans' allowance legislation in this country; and I am completely opposed, with all due respect to this eminent doctor—my reaction was a complete revulsion to the kind of thing he proposed before this committee the last time we met and we had no time to discuss it, and I think it is applicable to this legislation and should be given serious consideration and some definite legislation brought down before this committee so that we can understand it.

Mr. DICKEY: I would like to make a few remarks regarding the motion that has been moved before the committee. Certainly in my opinion I think all the members of the committee very much appreciated the excellent presentation by the Legion of their views with regard to the improvements that they felt should be made in the War Veterans' Allowance Act and the other matters that they raised in their brief.

The fact that this brief was unanimously supported by the Legion convention, I think, should occasion no surprise and I certainly consider that the executive should feel very satisfied that their views expressed in the brief and the manner in which they were presented did receive every support from the convention in Montreal.

Mr. Gillis, who immediately preceded me, expressed the opinion that this bill had been introduced as a sort of trial balloon, that it was merely for the purpose of supplying a basis for discussion and that having served its purpose it should now be withdrawn by the government and a new bill introduced. I certainly am unable to agree with Mr. Gillis in that opinion. I think that this is serious legislation, very carefully worked out and considered and to be enacted for the benefit of veterans. I do not think that any suggestion that it had any other purpose is going to assist the committee or is going to make our deliberations any more fruitful.

The bill that is before us, bill 181, is not only a bill that amends the War Veterans' Allowance Act but it is a bill which consolidates the Act. Now, a consolidation Act is quite different from an ordinary amendment and it is always introduced with very serious purpose and I think that this committee would be not doing itself justice to make any decision which would indicate that we feel that it was introduced with any kind of purpose in mind as expressed by Mr. Gillis.

Mr. Gillis also said that this was going to stand for some time and that we should feel that we were more or less finalizing this legislation on a permanent basis and for that reason we should immediately adopt the suggestions of the Legion and translate them into legislation at the present time. I certainly believe, Mr. Chairman, that our experience over the last few years has indicated that there has never been an approach to veterans' legislation which would justify Mr. Gillis' suggestion that we are in any sense finalizing the War Veterans' Allowance Act at this time.

The principle appears to me to be thoroughly accepted by the government, by the minister and by the Department of Veterans Affairs that veterans' legislation is not a static thing; it is a dynamic and living social problem and one that requires the most constant attention to see that as conditions change, as the difficulties of veterans in specific fields become apparent that the legislation should be amenable to the kind of adjustment which would meet new conditions and solve the varied new problems that arise. I therefore think that it would not be proper for this committee to approach this particular bill which is now before us in any other spirit.

Mr. Gillis may see some advantage in trying to create the impression that this legislation should be established firmly once and for all at this time, but I am unable to agree with him. I think we should continue to approach this bill and all other veterans' legislation in a spirit of attempting to meet in a reasonable and proper way the problems that face veterans at a particular period in our history, and face these problems in the knowledge as they change and as conditions change we will be able to make such new arrangements as may be required in the future. I think that is the sensible way to approach this problem and I think it is the way that is obviously to the advantage of veterans over the long term. I, for one, would be very loathe to give the impression that we were prepared to take any different position at this time, or for that matter at any time in the future.

Now, Mr. Chairman, the remarks of Mr. Green I think raise a question of principle that goes far beyond the particular question with which we are faced this morning. He made reference to the fact that this committee is made up entirely of veterans. I think that is something of which we should be proud. I think it is something that should give satisfaction to the country generally and also to all veterans and to the veterans organizations; but I think it would be wrong to suggest that just because we are all veterans

that we should approach the problems that come before us in any way which would indicate that we were taking advantage of our status as veterans or that we were approaching these problems from a point of view which might be open to question.

Because we are veterans and because we are dealing with veterans' problems I think that we do adopt an attitude that is not only sympathetic but which is an informed attitude. After all, most of us on this committee are members of the Legion or other veterans' organizations. We attend meetings of our branches when we are in our own constituencies and have the opportunity of attending. We meet our comrades from time to time and are able to discuss their problems with them on a little better basis, I think, than would be possible between a veteran and a non-veteran. We maintain a pretty close contact and liaison with the veterans' organizations with whom we are dealing from day to day and we have presented to us specific and individual veterans' problems. That gives us an insight into the difficulties some veterans are facing. It gives us an insight into the workings of veterans' legislation and I think it assists us very materially in our work on this subject. That, I think, Mr. Chairman, should not mean and should not be taken to mean that we approach the problem of veterans' matters in any way which should give any other group of Canadians the feeling that the veterans' affairs are dealt with in any way that would be considered to be biased or unfair.

Now, we have before us the proposals of the government. They are serious proposals and I think it must be admitted that the changes suggested in the War Veterans Allowance Act are definite improvements over the situation as it exists at the present time. The need for some adjustment to the war veterans allowance was recognized last year. There was a good deal of criticism because the legislation did not come up for amendment at the last session of parliament. The minister gave a very clear undertaking that the matter would be dealt with at this session. That suggestion was pretty generally scouted by the opposition. They took the attitude that the government was merely at that time avoiding its responsibilities. That has been proved to have been a completely false assumption.

The government naturally wished to consider the whole matter carefully because it is an important matter and it is a matter that has very serious implications as part of the whole social security system of this country. Now, the minister, after careful consideration of all problems with his departmental officials and after consultation with his colleagues, recommended certain legislation which was adopted by the government for presentation to parliament—and that is the bill that is now before us. The suggestion has been made that the provisions of this bill were decided upon before the government knew what the wishes of the Legion were for example. I, of course, have no knowledge of that at all, but I do know that the minister and the government try to give the Canadian Legion and other veterans' organizations any possible opportunity of bringing to the attention of the minister, the department or to the government, their views or wishes with respect to veterans' matters; and it would surprise me very much indeed, Mr. Chairman, if there were any truth in that suggestion at all—that there was not before the government, in reaching its decision about Bill 181, pretty exact information as to what the views of the Legion were.

Now, we have in this committee the advantage of a very clear and well presented brief by the Legion. I think we are all appreciative of the Legion's actions in making its presentation to this committee and the National Council's action as well; I do not think there is any question that we should consider very carefully the suggestions that they have made and see, after careful consideration of the provision of bill 181, whether some or all of the Legion's suggestions might not be given further consideration.

However, at this stage, Mr. Chairman, I do not think that this committee would be fair to itself or would be properly carrying out its responsibilities as a parliamentary committee if it were immediately, without giving any further detailed consideration to all matters involved, simply abrogate its function and immediately throw this legislation back to the House, insisting that the recommendations of the Legion be immediately adopted. After all, Mr. Chairman, we are a parliamentary committee, and as members of parliament we have a very heavy responsibility to all sections of this country and to all groups of the population. I think we must all recognize the close relationship between this War Veterans Allowance Act and the Old Age Security and Old Age Assistance Acts. These three bits of legislation deal fundamentally with the same problems. It is the general problem of old age. It is of particular importance and particular application to veterans, and that particular application is recognized in this War Veterans Allowance Act; but that does not change the essential nature of this War Veterans Allowance Act as a measure of old age security.

For that reason, Mr. Chairman, I believe, and I believe very firmly, that in considering the problems arising with respect to this Act we must view those problems not as in a water-tight compartment but as part of the general picture of old age assistance in this country; and, for that reason, I think that we have to give very careful consideration to the provisions of war veterans allowance, not only as they affect veterans but as they may affect the other Canadians whom we represent here just as truly as we represent our comrades who have had the privilege of serving.

I therefore think, Mr. Chairman, that we would not be properly and thoroughly carrying out our functions, assuming our proper responsibilities, if we were to adopt the motion which has been presented to the committee this morning; and I therefore for one will have to oppose it.

MR. MACDOUGALL: Mr. Chairman, honourable gentlemen: I think in viewing this legislation we have to more or less take a similar attitude, probably a bit unwillingly, that I had to assume in the House of Commons when I was speaking on the Victoria Day bill. Certainly, it was not the final result, what I originally had anticipated, but it was a compromise; it was the bill that finally emerged and had the unanimous approval of the House of Commons. And I think that in connection with Bill 181 that I have to disagree with my friend Mr. Gillis, that this is not the final or the last word in connection with veterans legislation.

MR. GILLIS: It was said here that it was to be a consolidation, and you know what that means.

MR. MACDOUGALL: Yes. And I do not know anything about this gentleman who was down to the Legion convention dealing with geriatrics—I don't know what that means.

MR. GILLIS: That is a doctor's word. I don't know what it means either.

THE CHAIRMAN: In a couple of more years you will know. I think it would probably be fairer if I were to say in a couple of years we will all know.

MR. MACDOUGALL: Getting back to the fact which Mr. Green and others have referred to this morning, that we are all veterans; I think that is quite true; but as members will appreciate, we have a duty to more than the veterans of our riding. I think that is unquestionable, and unchallengeable. Not only are we members representing the electors in our constituency, but we are also members representing Canada at large. Now, I recall very vividly—and this may seem like drawing a dead rat into the argument—but I recall very vividly in the first war none of us had any concept whatever that we were going to be, if we were wounded, the recipients of a disability pension.

THE CHAIRMAN: Hear, hear.

Mr. MACDOUGALL: I also recall very vividly because it cost me extra money that there was no additional money set aside for their benefit or education as was the case with the veterans in the second world war; no advances put up even to maintain our education. Those things were not even thought of.

Mr. HERRIDGE: There has been a lot of progress since that time.

Mr. MACDOUGALL: Yes, we have progressed considerably; and I think we are seeing today that in spite of the humanitarian legislation which has been brought down not only in the interest of the veteran but also in the interest of all the people of Canada, that we will continue to progress; because, unquestionably, we are today living in a completely and entirely different age to what we lived in in 1914-1918. I don't mind recalling to the committee that when I came back from overseas I was going to finish my arts course in the University of Saskatchewan. I purchased a ticket at Melville which was three divisional points east of Saskatoon. I didn't have any money to pay for a sleeper, I didn't have the money even to eat in the dining car; and, consequently, I took my old straw telescope and mounted the day coach for Saskatoon, with instructions to the conductor that when we got to Saskatoon, if I fell asleep that he please waken me. Well, the old conductor forgot to do that with the result that I went through to Asquith which is west of Saskatoon some 40 miles; and, anyone who knows that territory knows it is very arid and very sandy; and, in order to get back to register the next day at the university I had to hire a taxi, with the result that the taxi was unable to run in the sand and I pushed the darn thing all the way from Asquith to Saskatoon and paid the taxi driver \$40 for the privilege. Now, I just use that as an illustration to show that it was different; there was a difference in the era, a difference in the psychology, not only of parliament and of men and women across the nation with respect to things that were essentially humanitarian. Now, I appreciate as much as anyone in this room, the sincerity of purpose and the desire to do a good job on the part of all the members belonging to the various branches of the Canadian Legion across Canada. They are to be commended. However, on the other hand there is nobody, not even this body, not even the Supreme Court of Canada nor any other body, judicial or otherwise, in Canada that is 100 per cent correct 100 per cent of the time, because that is just not human nature. Now, with respect to that we know what a hullabaloo we got into last year. I was not a member of the committee last year, but I know the reaction across the country when the question of the unemployability supplement came up. I also know what the attitude of those same people in the Canadian Legion was with respect to the unemployability supplement. I will admit that in the national council the vote was very close, I think it was a matter of six against four for the unemployability supplement. But then came the question facing every member of the House of Commons regardless of what side he stood upon, that he either voluntarily defended that or he subscribed to some *modus operandi* that was eventually going to bring about a greater payment to all recipients. I think it is generally recognized, gentlemen, today that the unemployability supplement was a fine bit of legislation.

The CHAIRMAN: Hear, hear!

Some Hon. MEMBERS: Oh, oh!

Mr. MACDOUGALL: It is all right for some of my hon. friends to say oh, oh and baa, baa, but I know that in my riding, where I have several large thriving Legion organizations that they were very happy about the unemployability supplement, and that they were very sad to see that it was removed despite the fact that we had an additional over-all 33½ per cent increase in the basic rate of disability pension. Now, that is something to consider in connection with this bill. I myself feel that this bill is not all that I would like it to be. I am quite ready to admit that. It is not all that I would like it to be, and I doubt if it is everything that everyone here in this committee feels that it

should be, but as far as I am concerned I would rather have half a loaf than no bread at all. Additionally, on top of that, I also feel that this is the groundwork with respect to future legislation. It is not perfect, heavens, no, we all know it is not perfect, but at least it is a commencement to recognize the war veterans' allowance which, in my opinion, has been too long neglected. Now, those from British Columbia particularly will know that, though I only landed in parliament in 1949, I have had considerable experience with respect to speaking in elections throughout the province, both federal and provincial, in every riding for the last 25 years and I have always maintained that the war veterans' allowance was something that needed treatment, and needed treatment quickly, and I then on many, many occasions in all sections of the province stated that in my humble opinion we should not under any circumstances treat those who were then on old age pensions in a more affluent manner than we would treat those who were the recipients of war veterans' allowance. Now, it has taken quite some time for the government and the various committees on veterans affairs to have eventually brought about a type of legislation that is in many respects comparable to that which is now known as the universal old pension. Now, true enough, as I said before, this is not the be-all and the end-all of veterans legislation, and last year when the government took it upon itself to give not only 100 per cent of everything that the Legion asked with respect to the increase in the disability pension, they even went further, they went further than the first mile, they went the twain. Now, I do not think it is right, nor do I think it proper, to cut off an immediate potential advantage to the great war veterans and their widows just because it is not everything that we think it ought to be. Again I reiterate, it is definitely a step in the right direction, and when you are going in the right direction and take additional steps then you are in a position, I think, of operating, on very sound ground with sufficient manoeuvrability to be effective. Now, further than that comes the question of need, the question of need for many other people who are not in the category of recipients of great war veterans' allowance or widows' allowance, or for that matter who are not in the category of recipients of disability pension. Now, we have to consider those people. I will have to admit here, and certainly without bias, that when the government has to collect the money and spend the money they have a responsibility to all those various categories outside of the recipients of war disability, great war veterans' disability, or widows' pensions. They have a duty to perform to the great mass of people throughout the country who are not within those particular categories with which we are now dealing today, and it is not an easy thing—I found that out particularly since I became a member of parliament—to satisfy everybody; far, far easier to subscribe to the wishes of a lobby and let it go at that than to bring some modicum of possible advancement in all fields of human endeavour, human legislation for the betterment of humanity generally throughout the country. Let me illustrate by this—I do not suppose that possibly very many members, if any, paid any attention to what I said in the House on November 5 a year ago.

Mr. HERRIDGE: We always listen with interest.

Mr. MACDOUGALL: That was a question of people who were completely ignored by the civil servant, completely ignored by the government departments. Why? For the simple reason that those people had reached the age of 45. I made a special plea on that occasion that some way might be found—because actually a man at 45 years of age with experience is, in my opinion, a better man in office, whether it is in the Department of Veterans Affairs or any other governmental department, than a young man at 20, but yet the scales are weighed against that man or woman. Why? Simply by virtue of age, by virtue of age, and nothing else. Now, the upshot of my remarks in connection with that is this, that there has been nothing done, there has been nothing done.

Do not forget, Mr. Chairman and gentlemen, that there is a great body of people within the category that I have just mentioned, a great body of people across Canada. You also have your retired civil servants, who are living on a very low scale of pension because they retired some 15 years ago. Now, those people not only are going to be hurt, but they are also going to be most irate if we take a certain group of people in the dominion and give them everything that they ask, and with respect to the group which I have mentioned, give them nothing.

Now, as I have said, this bill is not in any way the *ne plus ultra*, the end of all bills, but it is definitely, in my opinion, a step in the right direction, and it will bring this very needful category of people up into a category which is something similar to that with which you are now treating our universal old age pensioners. Remember that the Old Age Pension, as we now see it, with respect to universality of pension, is something that was completely and entirely unheard of in 1927 and in the 30's. It was completely unheard of. Now there will be other people who will follow us and who will be members of the Veterans' Affairs committee; and 10 or 15 years from now the likelihood is that they will be talking about some other subject entirely, not the one that we are talking about today. But I make the plea to all members of this veterans' affairs committee not to chop the head off this bill, and emaciate it to a point where it does not mean anything. Let us not go back for another wrangle on the floor of the House, with no holds barred, be they jiu jitsu or otherwise, when we are very liable to wind up with a much worse bill than we have at the present time. I would not be one who was particularly anxious to support any emasculated bill such as might emerge as the result of an action just described.

In the final analysis, Mr. Chairman, I think it is fair to say, while agreeing very much with what Mr. Dickey of Halifax has said, that there was no predisposed idea on the part of the government or on the part of the minister that this should be considered as a kite. I think that is quite beyond the question. I also know that before the conclusion of the last session of the House of Commons, the Minister of Veterans' Affairs got up from his seat and made the statement that the War Veterans' Allowance legislation would definitely be considered during this session of the House of Commons. Now, if he did not mean that, we would not have had this bill. But he did mean it in all its entirety, and therefore we have the bill.

As I stated earlier in my remarks, I think it is the feeling of everybody in this room that this bill is not everything that we would positively like to have for the veterans, but at least it is a step in the right direction for those who are getting an additional amount, bringing them up to a scale comparative with what used to be considered and what is today considered the universal Old Age Pension. We are, to say the least, making progress slowly. Now, it is possible to make progress more rapidly, but by progressing in a rapid manner you run the chance of falling behind rather than progressing, and you also run the chance of ending up with legislation which, in all probability, is not as good as the legislation with which you started out.

Therefore, Mr. Chairman and gentlemen, it seems to me that we would be very unwise now to start calling "Wolf! Wolf!" because you know what happened to the party who called that. The question before us is the validity of this increase. That is something which I think every member of this committee and every member of the House of Commons can justify on the hustings, not only to the war veterans themselves, not only to the disability pensioners themselves, not only to the widows, but also to that great mass of people who are left without the veil with respect to getting any federal assistance because they are 45 years of age.

That is something, of course, on which all members have to satisfy themselves. If they think that you can go all out on this legislation—and do not make any mistake, I think we went all out on the legislation with respect to the disability pension; I do not think the disability pensioners are going to start agitating immediately for another increase. Many of them have spoken to me. They said: "We have got a square deal with respect to our demands for an increase in disability pensions, and having got that, we feel at least that some time, some fairly measurable amount of time, should elapse before anything else is agitated for in connection with an upward swing in the disability pension."

Now, on this unemployment supplement there was a great deal of discussion throughout the length and breadth of Canada, and I think the vote was 6 to 4 against the legislation. But I have talked to hundreds of recipients of unemployable supplements and they have said to me: "Jack, we think this is the finest bit of legislation that has ever been passed by the Federal government."

I did not talk to them until those who came under that category had received their cheques. If you had talked to them before, you would have found that they had listened to certain people within the Legion who were opposed to it, and they were frothing and fuming because this legislation had been brought in. I talked to them after, and I never ran across one man—and I have an organization of legionnaires in my constituency, just to mention one, which has 3,000 members. That is a lot of votes. And I have 4 other ones in my constituency. By and large, the great rank and file of those people,—though they have not in this legislation, if it goes through, everything that they request with respect to their senior officers in the national organization—will find that if this legislation does go through—with possibly one amendment which I definitely would support, and that is a reduction of age from 65 to 60—that this legislation will be fairly universally accepted. I have that idea in mind as a supporter of the administration. I will admit that it is a little easier when you are sitting on the opposition side to suggest that we should have greater expenditures in connection with this, that, and the other thing. But we of the administration also have the additional responsibility of finding the money, and making the people annoyed at heavy taxation. And this, in itself, will cost the taxpayers, I believe, Mr. Chairman, something in the neighbourhood of \$8 million plus in order to put this legislation into effect.

The CHAIRMAN: A little less.

Mr. MACDOUGALL: As I originally stated I think it is better for us to accept slowly progressive legislation rather than to have no legislation whatsoever with respect to these very worth while people for whose protection this legislation has been drawn. I thank you very much.

The CHAIRMAN: Gentlemen, I do not propose to enter into this discussion but I do think in view of one or two things that have been said that being in the position on this committee best able to express what is government policy, I would say that there is utterly no foundation to the suggestion my friend Clarie Gillis made—and I suspect he knew it—that this legislation was something which was sort of thrown together in order to give this committee something to chew on.

This legislation is the result of a prolonged study carried out by the officers of our own department in conjunction with the Department of Labour and in conjunction with the national veterans' organizations themselves and the bill is an instrument of government policy sent before this committee for examination. That is the first categorical statement I desire to make.

The second statement I want to make is to refute the suggestion someone made—one or two have referred to it—that this Act was something which

was brought into the House and into the committee before the officers of the national veterans' organizations had the opportunity to lay before the minister and, through him the government, the desires of these organizations in respect of this legislation.

It is well known I think to all members of the committee that the present government has in each year since it came into power offered the Dominion Command of the Canadian Legion an opportunity to meet not with the Minister of Veterans Affairs but with the whole cabinet at the closest convenient date to the 11th of November at which time the Legion, whether there is a committee sitting or not, has an opportunity to lay its views in anticipation of the coming session before the cabinet in order that we may take advantage in government circles of their knowledge and the results of their studies and their observations.

Such a meeting did take place in November last between the representatives of the Dominion Command and of the cabinet and I might say that the same opportunities are afforded the National Council for Canada for consultation with the whole cabinet. In addition to that the door of the minister is always open, as all of you know, to the representatives of the national veterans' organizations and they do come from time to time, and only a few days before the bill was introduced into the House the president of the Canadian Legion and his officers met in the ministers' office with the minister, the deputy minister and myself and disclosed to us very fully what they felt should be in the legislation.

In addition to that there are constant consultations going on between the various officers of the veterans' organizations and either the minister, the deputy minister and, occasionally, myself.

Now, I think that ought to be clear on the record of this meeting. Nobody is kidding anybody. This legislation is the result of a study of administrative experience as well as the representations which have come from time to time. In our last committee, although the matter was not brought up, I permitted pretty full discussion on it and permitted the veterans' organizations to make observations on their views just as we did this year allow them to make representations on matters they wished to talk about.

So I just want to refute at once any suggestion that this bill is an invitation to the kind of motion which was presented before us this morning.

MR. LENNARD: Mr. Chairman, in rising to support the motion made by Mr. White, I am obliged to take issue with Mr. MacDougall. He said that if these recommendations came to the House there would be a hullabaloo there. I venture to say that if these recommendations were accepted by the government, there would be no debate in the House whatever. They would be merely referred back to this committee.

In addition, in the recommendations put forward by the several veterans' organizations, there are many other recommendations contained in those briefs that should be considered immediately by the government. I have two in mind. Briefly, one is that of the widows of Imperial veterans who died prior to having resided in Canada for twenty years although the widows might have resided here for twenty-five or thirty years, and the other is in connection with the treatment revision recommendations contained in the brief submitted by the National Council of Veterans in connection with class 1 to class 11.

I would draw the committee's attention to the fact that those cases in classes beyond 100 per cent disability, even up to perhaps 300 per cent disability, do not receive free hospitalization in some cases and how a man can be over 100 per cent disability and have his hospitalization in no way connected with his disability is something of which I have no conception.

Those are two things that I think should have immediate consideration of the government.

The CHAIRMAN: I did not interrupt Mr. Lennard but before anybody else gets off on a tangent, we are on war veterans' allowance now. There will be an opportunity in the committee when we come to discussing the bill which confers veterans' benefits, I think, to discuss the questions which Mr. Lennard mentioned this morning. But at the moment I think while the general discussion on the first clause of a bill allows for pretty wide discretion, I think we had better stick to war veterans' allowance.

Mr. WEAVER: Mr. Chairman, the motion before the committee this morning rather took me by surprise. What I am speaking about will probably explain what I mean because I am a very, very young member of this committee. I was a member at the last session of the committee and this is the first occasion on which I have attempted to speak except possibly asking very simple questions.

I did consider it a great honour when I was made a member of this committee. I had heard of the Veterans Affairs Committee very favourably long before I ever came down to Ottawa. It has been a matter of pride amongst veterans all over Canada, not those just concerned with government or politics but with veterans generally it has been a matter of pride that the Veterans Affairs Committee has been known to have a non-political attitude for many, many years, and that is the atmosphere—that is not quite the right word but that will explain what I mean—that was in my mind when I first attended the sessions of this committee.

I would further say at this time that even though I am a young member and a young member of the committee, I have had a long association with the Legion. That might surprise many of you but I have been a continuing member of the Canadian Legion since 1936. That is long before the second world war. It happened that I was eligible for that because of having served for a brief time in the permanent forces of Canada and I had an interest in veterans' affairs generally. I do not think you will declare me out of order here, Mr. Chairman, but I did want to mention something outside the field of war veterans' allowances. My father was a 100 per cent pensioner and that gives me some reason for being aware of the problems of veterans of the first world war. So I kept a pretty close eye on them even though I was of a rather young age.

I have observed war veterans' allowances over the years and I know the odd things that can crop up that seem inconsistent and seem unfair at the time. This does verge a little bit on the pension, but I still think it is in order at this time. My father enlisted in the Canadian army. He had never been away from this continent. He had never been in England. But, for reasons that probably some of the first world war veterans will understand, in order to get overseas in a hurry he transferred to the Imperial army and served with the Royal Engineers. His pension then was an Imperial pension. Because of that when he died my mother did not receive a pension. That was one of those things that seemed unfair to many of us but that was corrected about the year 1946.

It made it clear to me that things that did not seem right, as time went on had gradually got adjusted and corrected. In line with what Mr. MacDougall was saying, the fact that there were some little discrepancies or something that might have appeared unfair had no bearing on whether a person was prepared to serve or not serve, and they did not serve with those ideas in mind.

At the time my father died, it was during the second world war, my oldest brother had been killed in service and my other brother and myself were both in service and we never gave it a thought, the fact that my mother did not receive a pension. We gave it a thought but it had nothing to do with whether anyone served or did not serve and I do not think that anyone in this committee would suggest that it did. But it does illustrate that these problems have to be dealt with and are dealt with one by one as they come up over the years.

That again brings me to the point—the words “geriatric” were mentioned by Mr. Gillis and Mr. MacDougall. I listened at an earlier session of the committee to the very eminent doctor who gave us an outline or told us of the work that was being done along that line. In a way rehabilitating was the right word because he was rehabilitating older veterans who came under war veterans’ allowance legislation and I was very, very pleased with the description that he gave of that work because it indicated that we were still making very steady progress in taking care of the older veterans who have served our country.

I just want to mention another case in connection with war veterans’ allowance. In the part of the country from which I come we have very much space and there are many trading posts where Indians and half-breeds or “metis” are the chief residents and many of those Indians and metis served this country loyally and well, and because of—possibly generally because of lack of knowledge many of them are not aware—I am speaking of the veterans of the first world war—many of them are not aware of the benefits that they are entitled to, and because the past winter has been a very severe winter and the trapping has not been good and the price of fur is not high, which made a very serious situation in the north. I just recently had a very touching letter from four Indian veterans of the first great war. I am sorry I have not got it with me, but they outlined their difficulties and they said, “When we were discharged all we got was our badge. We have had no help since and we are in need. Please help us.” That is the gist of the letter.

Now, I took that up with the Department of Veterans Affairs and I am very pleased to say that they assured me that it would be looked into immediately; and I am quite satisfied that those Indians or Metis will get the benefits which I am quite satisfied they are entitled to.

I would like to point out that the need for adjustment in war veterans allowance has been obvious to everyone for some time. At the last session of parliament we all remember what the minister told us—I can recall in the House that he said while no legislation could be brought down at that session, because of the old age security legislation coming up, legislation would be brought down at this session, and that legislation could be made retroactive. So, while it was not to be dealt with then nothing would hinder it being dealt with at this time and the benefits would come into effect roughly at the same time as the previous benefits granted at the last session. I was very satisfied with the minister’s statement at that time and I was very pleased when the legislation was introduced at this session.

I mentioned before that the question today took me by surprise. I still say that because we have not had an opportunity to discuss this bill at all—I should not say “at all” because we did go over it, but we did not have an opportunity to get down really and get into it—to discuss it as fully as I had expected it to be discussed.

I have every sympathy with the Legion in the recommendations that they have made at their convention and this motion would mean we endorse those recommendations completely. I have every sympathy with them, but if we were to endorse those resolutions or to pass the motion we would be abrogating our responsibilities. We have very definite responsibilities in this committee and if we were to say: Well, whatever the Legion says we will endorse holus-bolus and put into effect—then we would be ducking our own responsibilities. The responsibility is on the government to decide what the country can afford at any particular time.

If I tried to jump from this end of the room to the other end of the room it would be an impossibility, but if I took one step in that direction and then took another step in that direction, continuing to walk there, if that were my goal I would get there. We have seen that over the years the government has taken step after step in the direction of completely covering the field of

veterans of past service. While it would be very easy from a political point of view to support this motion and go out and say: Well, look, I tried to get everything even though the rest would not listen, that would not be playing fair with ourselves. That is the chief reason that at this time I do not feel that I could possibly support the motion.

Now, I have one or two other observations that I would like to make. At the last session of parliament there was a matter of what is known as the unemployability supplement which was introduced. Mr. Quelch mentioned the plight of the unemployable veteran and Mr. Ross also mentioned it. When this unemployability supplement was introduced at the last session I supported it and supported it wholeheartedly because I knew of a number of veterans in my area whose need that would have completely filled at that time. When it was introduced I had a sense of feeling that something that had been worrying me had been cleared away. It was with very great regret that I heard the Legion representatives at that time oppose that unemployability supplement and it was with very great regret I heard most of the opposition members of the committee oppose it.

The CHAIRMAN: All of them.

Mr. WEAVER: Yes, I believe all of them at that time opposed it.

Mr. HERRIDGE: Quite rightly, and now you have accepted our advice.

Mr. WEAVER: Therefore, I was rather surprised to hear Mr. Quelch and Mr. Ross speak as they did in support of this resolution. I am sure they were speaking closer to what they felt today than on previous occasions—

Mr. QUELCH: Not for a minute.

Mr. HERRIDGE: We never do that.

Mr. WEAVER: I felt very concerned when the government acceded to the Legion request to remove that supplement, and I felt very concerned about it because those same men who I no longer worried about are again a worry to me.

Now, I am sure the department has not brought in this legislation without giving it very, very careful study, and I would like to ask the department if they have not done so? I am sure they have, but I would like to have, if it is possible for them to bring it forward, some of the studies they made or at least some of the figures on which their conclusions have been arrived at. Then it will be clear to everyone why at this time steps that could be taken, while they take us nearer to the goal, do not take us completely to the goal. That is still sometime in the future.

Mr. LENNARD: You have only got fifteen minutes to go, you are doing fine.

Mr. WEAVER: I am rather surprised at the member saying that. This is the first time in this committee that I have taken the committee's time and I take my position seriously and my responsibility seriously. I mean what I say when I speak at this time.

Mr. Chairman, if we were to adopt the motion that is before us to day we would not be doing our job as members of parliament and as members of this committee. Therefore, I intend to oppose the motion.

Mr. JUTRAS: Mr. Chairman, like Mr. Weaver, I like to think that I am one of the young members of the committee but, unlike Mr. Weaver I think I have sat on every committee since the end of the war. Therefore the move of the official opposition this morning did not surprise me at all because I could recognize a familiar pattern.

Mr. Chairman, I think the procedure as suggested this morning,— and I say this with all sincerity—is a very very unwise and unjustified procedure to adopt. Now, I recall very well, as I said, the last increase in the basic pension, and particularly the other one previous to that; and I recall very well also that

we had before us on more than one occasion this same type of motion; and I think the record bears out that those who opposed it at that time were very wise in doing so because we gained a great deal more than we would have done had we accepted that motion.

Now, previous to this morning we had the presentation of the Canadian Legion and we had the presentation of the other veterans' organizations, so on the one hand we had before us the recommendations and presentations of the veterans bodies and on the other hand we have this bill 181, which is the recommendations of the government; and the duty of this committee, as I see it, is to analyse both the recommendations of the government and the recommendations of the Legion and try to bring into the House what we think is the best recommendation in all the circumstances.

At no time, I am sure, was it intended by the Legion that their brief should replace this veterans committee, and in effect that is exactly what we would be doing this morning if without giving any consideration whatsoever—and in all due respect to Mr. Gillis who made the statement this morning that we had considered bill 181—because this committee has not yet given any consideration to bill 181—

Mr. GILLIS: Did I say that?

Mr. JUTRAS: Yes.

Mr. GILLIS: I do not think so, just the reverse.

Mr. JUTRAS: I am sorry, if you did not say that I stand corrected. But what I am trying to say and what I am saying is that this bill has not received any consideration from the committee so far; we have only heard the recommendation of the Legion; and surely we should give consideration to the bill. Otherwise, as I said, we have only the recommendation of the Legion; and then we say that we will save a lot of time: we will just pass this on to the government and the government can do what they like and decide on it. Surely our job here is not to give so much weight to the representations made by the Legion that they replace us as a committee. Our job is to consider this recommendation in the committee in the light of the recommendation of the government; and then, if there is any recommendation to be made, to present it to the House and to the government. Surely, we must try to make our case as strong as possible and fully justified.

I respectfully submit, and I am sure that a great many of the members on this committee are not so naive as to think that first passing the Legion brief to the government that their case will be very much stronger than it was a few weeks ago when it was presented by the Legion to them. Surely, it is our job thoroughly to look into it before we assume or accept the basis of the Legion brief. That sort of procedure, to my mind, is very, very unwise indeed. In his remarks Mr. Green referred to the fact that he did not want to slam the door on the representations of the Legion. Well, with all due respect—

Mr. GREEN: I said, slam the door on the veterans.

Mr. JUTRAS: What was that?

Mr. GREEN: I said, slam the door on the veterans, not just the Legion.

Mr. JUTRAS: I thought you were talking about the brief—well, that is nothing to quibble over.

Mr. LENNARD: We had briefs also from other veteran organizations—not just a brief.

Mr. JUTRAS: I am talking about the Legion, because it was their brief to which reference was made.

Mr. LENNARD: What about the others; for instance, the one from the National Council of Veterans?

Mr. GILLIS: And pensioned widows.

Mr. JUTRAS: Oh well, O.K. However, as I said, to judge by the reaction of the members of the committee, especially at this time, he is swinging the door pretty hard, and I know no member wishes to slam the door now on any representations that have been made; and my suggestion now is that we should reconsider the motion; because, I say again, to try to push this motion through at this time would prevent the committee from making a study of the matter; and that, to my mind, would be unwise as far as benefits to veterans are concerned.

So, Mr. Chairman, I think, without adding anything more to what I have said so far, I would move that this motion be considered at the proper time when we get into a consideration of the bill, so that it can be considered in the light of both the recommendations made by the Legion and those made by the government, and as a result bring a recommendation into the House in the light of them both.

Mr. CRUICKSHANK: Mr. Chairman, might I ask a question? I am sorry I was late, but I just came up from Montreal. I think probably I was the only member who was officially a delegate to the Legion convention.

Mr. GILLIS: No, you were not. I sat there until Wednesday.

Mr. CRUICKSHANK: I didn't have the privilege of seeing you down there. You didn't attend as I did.

Mr. ROSS: I spent a day there, but I could not find you, George.

Mr. CRUICKSHANK: Oh, very well. Mr. Chairman, might I hear the motion? I was not here when it was introduced.

The CHAIRMAN: The motion, moved by Mr. White, and seconded by Mr. Green, was that the committee recommend that the government give consideration to introducing legislation during the present session of parliament which will give effect to the representations submitted to the committee by the Legion and the National Council of Veterans that the rates of allowance and the maximum total incomes set out in the Schedules to bill 181 should be increased.

And the discussion which has ensued this morning has been on that resolution. And now, as I understand it, Mr. Jutras has moved—it would have to be an amendment—that the motion be amended; that the committee do not now resolve this resolution but that they proceed to examine the bill, and that whatever resolutions we have to make to the House—and that would be the motion; the import of it being that we do not recommend something which cuts right across the legislation before we examine the bill itself.

Mr. JUTRAS: Mr. Chairman, if I may be allowed a point of order, my motion is not too clear. As you have put it it is not clear at all. It is in very general terms. The Canadian Legion made several recommendations, very specific recommendations, related to the sections of the bill. As a matter of fact, I don't know exactly what this is, but in the first place this recommendation apparently would take the place of the bill, I think that is what it says.

Mr. WHITE: No, it does not say that at all. It says—

Mr. JUTRAS: It doesn't say that? Well, probably I did not make myself clear. The Legion did make specific recommendations relating to specific sections of the bill, and my motion was that we could consider those recommendations when we had before us the relevant sections in the bill.

Mr. GREEN: On a point of order, Mr. Chairman. I submit that Mr. Jutras' motion is not in order at all. He has said in his motion, in effect, that we should not proceed with our motion now. You have already ruled when the motion was first moved that it would be discussed—

Mr. JUTRAS: That was not a ruling, that was just an opinion.

Mr. GREEN: Not only was it a ruling, but he allowed discussion to go on. Mr. Jutras should have raised this point of order at that time and if his present amendment is passed, it amounts to nothing more than questioning your first motion. On another point, his amendment is indefinite, it is not a proper amendment, it says that we should consider this at a proper time. Now, that might be any time. There is nothing definite about it, and no sections were referred to in the amendment moved by Mr. White, and an indefinite amendment or motion of that type is completely out of order.

Mr. JUTRAS: As I said, I am not mentioning any specific sections there because if your amendment will state the sections that the amendment applies to in the bill, my motion will do so ipso facto, but if it is indefinite it is because the main motion is also, and I respectfully submit—my recollection was at the time, and that is the reason I did not raise it then—that the chairman did not give a ruling, he simply gave an opinion. He was asked for no ruling. He gave his opinion and the matter stood there and I did not raise the question then.

Mr. QUELCH: On a point of order for clarification, Mr. Chairman. I am not sure what the amendment is because Mr. Jutras gave us certain words and you, Mr. Chairman, tried to put it in different words, so I do not know what the amendment is, but I gather what he actually is doing is to present a negative to the present motion, and exactly the same result could be arrived at by voting against the main motion.

Mr. JUTRAS: It is certainly not a negative motion, because I am not suggesting that the recommendation of the Legion be not considered. All I am saying is that the motion as I see it—I am not quite clear on the main motion, so I will not refer to it, but my amendment is that it be done when we come to the section of the bill which relates to the subject.

Mr. QUELCH: That will happen if the motion by Mr. White is voted down, but the motion is that we make a recommendation to the House now, while your motion is that we do not make a recommendation.

Mr. WHITE: Mr. Jutras, you mention that the motion did not refer to any section of the bill. It is quite true it does not refer to a section, but it refers to the schedule of Bill 181 which sets out the ratios of allowance and maximum total income.

The CHAIRMAN: The question has been raised as to whether or not the chair made a ruling. I think that is begging the question. It has been customary in this committee to permit a general discussion on the item called, and the first item was called. In view of my experience which is not limited, I was watching all three potentials and somebody had to be first. I was not at all surprised that a motion of this sort came in. It is not the first time it has happened in the committee and I must say it is not the first time that we proceeded to deal with it in that way, by reason of the amendment. At the last committee but one, you will remember when we were dealing with the 25 per cent increase in the pension we had exactly the same situation arise, except that on that occasion the motion was raised by Mr. Brooks, who was then a member of the committee. A debate followed, and following that debate the motion was subsequently amended by Mr. Herridge and after a long debate the committee resolved to delay voting on the motion until such time as we had considered the bill, which was a proposal to increase pensions by something less than 25 per cent. That debate continued through days, indeed it continued through weeks, and it was not until we had concluded our study of the bill in question and by listening to the evidence of the Department of Veterans Affairs, of the Department of Labour and of the Bureau of Statistics, and everybody else I think who asked an opportunity to speak before us, that the committee did resolve itself on that resolution, with the result, as you all remember, that the motion of Mr. Brooks was

negated, the motion of Mr. Herridge was carried, and the committee did recommend a 25 per cent pension increase, which parliament in its wisdom carried.

Now, I anticipated this morning that the same procedure would be followed. I understood, I think, perhaps the commendable desire to be in early at the asking side of the table, and I gave permission for a general discussion in that way. There is nothing, however, in the motion which would preclude an amendment to that motion by Mr. Jutras or by anyone else. And Mr. Jutras' amendment, if I understand it, is as follows: Mr. Jutras moved in amendment:

That the specific recommendations of the Canadian Legion and of the National Council be considered when the relevant clauses of the bill are under discussion.

That does not, in my view, negative the motion, but it simply reduces it to what I think is a more orderly method of procedure. Consequently, I shall accept the amendment.

Mr. GREEN: It is already 1:00 o'clock and perhaps we can hold over this discussion on the point of order until we have had an opportunity to examine the amendment.

Mr. MACDOUGALL: Will you move the adjournment, Mr. Green?

Mr. GREEN: Yes, I will do so.

The CHAIRMAN: At the moment then I have Mr. Jutras' amendment and until the next sitting of the committee I shall reserve my ruling with respect to it.

Mr. GREEN: You will give us an opportunity to discuss it at the next sitting?

The CHAIRMAN: The chair has made no attempt to restrict the speeches this morning in any way.

Mr. HERRIDGE: I think the chairman has been very fair.

The CHAIRMAN: And I have no intention of being otherwise.

Mr. GREEN: Perhaps it might be well for us to adjourn then to the call of the chair because there are several committees meeting, and I hope you will arrange our meeting to be at a convenient time.

The CHAIRMAN: Ordinarily this committee would meet on Monday morning but Mr. Green suggested that we adjourn to the call of the chair. I have made some inquiry and I have found that nine members of this committee are members of another committee which is meeting on Monday morning.

Mr. GREEN: The committee on Railways, Canals, and Telegraph Lines is holding a meeting on Monday morning.

The CHAIRMAN: That is right; and nine of the members of this committee also are members of that committee, consequently the probability will be—although I cannot say for sure—that our next meeting will be on Tuesday afternoon; but in any event you will get all the notice I can give you.

The committee adjourned.

Canadian Veterans Affairs
Committee on, 1952
(HOUSE OF COMMONS

Sixth Session—Twenty-first Parliament, 1952

SPECIAL COMMITTEE

ON

VETERANS AFFAIRS

Chairman: L. A. MUTCH, ESQ.

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 5

TUESDAY, JUNE 3, 1952

Bill 184, An Act to amend the Pension Act;

Bill 191, An Act to amend The Civilian War Pensions and Allowances Act.

WITNESSES:

Mr. J. L. Melville, Chairman, and Mr. K. M. Macdonald, Secretary, of the Canadian Pension Commission;

Mr. C. B. Lumsden, President of The Canadian Legion of the B.E.S.L.

SPECIAL COMMITTEE ON VETERANS AFFAIRS

Chairman: L. A. MUTCH, Esq.

| | | |
|-------------|---------------------------|---------------------------|
| Applewhaite | Dickey | MacDougall |
| Balcom | Dinsdale | MacLean (<i>Queens</i>) |
| Brooks | Gillis | Mott |
| Bennett | Green | Quelch |
| Blair | Harkness | Roberge |
| Carroll | Henderson | Ross (<i>Souris</i>) |
| Carter | Herridge | Thomas |
| Corry | Hosking | Tremblay |
| Croll | Langlois (<i>Gaspé</i>) | Weaver |
| Cruickshank | Lennard | Winkler—31. |

R. J. GRATRIX,
Clerk of the Committee.

ORDERS OF REFERENCE

MONDAY, June 2, 1952.

Ordered,—That the name of Mr. Winkler be substituted for that of Mr. Jutras on the said Committee.

TUESDAY, June 3, 1952.

Ordered,—That the name of Mr. Brooks be substituted for that of Mr. White (Hastings-Peterborough) on the said Committee.

Ordered,—That the name of Mr. Henderson be substituted for that of Mr. McWilliam on the said Committee.

Ordered,—That the name of Mr. Applewhaite be substituted for that of Mr. Larson on the said Committee.

Attest.

LEON J. RAYMOND,
Clerk of the House.

REPORT TO THE HOUSE

WEDNESDAY, June 4, 1952.

The Special Committee on Veterans Affairs begs leave to present the following as its

SECOND REPORT

Your Committee has considered the following Bills and has agreed to report the said Bills without amendment:

Bill 184, An Act to amend the Pension Act.

Bill 191, An Act to amend The Civilian War Pensions and Allowances Act.

All of which is respectfully submitted.

L. A. MUTCH,
Chairman.

MINUTES OF PROCEEDINGS

TUESDAY, June 3, 1952.

The Special Committee on Veterans Affairs met at 4.00 o'clock this day. Mr. L. A. Mutch, Chairman, presided.

Members present: Messrs. Applewhaite, Balcom, Bennett, Blair, Brooks, Carter, Corry, Croll, Cruickshank, Dickey, Dinsdale, Gillis, Henderson, Hosking, Langlois (*Gaspé*), Lennard, MacDougall, MacLean (*Queen's*), Mott, Quelch, Ross (*Souris*), Weaver, Winkler.

In attendance: Mr. E. L. M. Burns, Deputy Minister, Mr. W. G. Gunn, Q. C., Director, Legal Division, and Mr. G. H. Parliament, Director General of Veterans Welfare Services, Department of Veterans Affairs; Mr. J. L. Melville, Chairman, and Mr. K. M. Macdonald, Secretary, of the Canadian Pension Commission, and Mr. C. B. Lumsden, President of The Canadian Legion.

On motion of Mr. Dickey, seconded by Mr. Brooks, the following resolution was adopted unanimously:

"Resolved that this Committee expresses to Mrs. Burgess and her daughter, our deep sympathy in their bereavement. We desire also to express our very real appreciation of the service the late Mr. Burgess gave to veterans generally, and in particular to this Committee."

On motion of Mr. Dickey,

Resolved,—That the Committee suspend consideration of War Veterans' Allowance for this sitting and consider Bills 184 and 191.

The Committee commenced consideration of Bill 184, An Act to amend the Pension Act.

Mr. J. L. Melville, Chairman, Canadian Pension Commission, was called and questioned on the clauses of the said Bill.

Clause 1 was carried on division.

Mr. C. B. Lumsden, President of the Canadian Legion, was called on. Clauses 2 and 3, presented that portion of the Canadian Legion Supplementary Brief relating to Pensions and was questioned thereon.

Mr. K. M. Macdonald, Secretary of the Canadian Pension Commission was called on Clause 3, questioned thereon and retired.

Clauses 2, 3 and 4 inclusive and the Title were considered and adopted.

The Bill was adopted on division and the Chairman ordered to report the said Bill to the House without amendment.

The Committee then considered Bill 191, An Act to amend The Civilian War Pensions and Allowances Act.

Mr. Melville made a statement in explanation of the said Bill, was questioned thereon and retired.

Clauses 1 and 2, Schedules 1 and 2 and the Title were severally considered and adopted.

The Bill was adopted and the Chairman ordered to report the said Bill to the House without amendment.

The Committee then agreed to hear the remaining portion of the Canadian Legion Supplementary Brief.

Mr. Lumsden read the said Brief, was questioned thereon and retired.

At 5.45 o'clock p.m. the Committee adjourned to meet again at 4.00 o'clock p.m., Thursday, June 5, 1952.

R. J. GRATRICK,
Clerk of the Committee.

EVIDENCE

JUNE 3, 1952
4:00 p.m.

The CHAIRMAN: Gentlemen, we have a quorum, but before we begin our regular business today I would like to draw to the attention of the committee the very great loss which we on the veterans affairs committee and indeed veterans generally have suffered during the interval since our last meeting—

Hon. MEMBERS: Hear, hear.

The CHAIRMAN: —in the death of Mr. A. L. Burgess who has been for so many years the exceedingly competent secretary of this committee. In connection with that I thought perhaps the committee would like to make a resolution.

Mr. DICKEY: Mr. Chairman, respecting the matter which you have raised, I should like to move, seconded by Mr. Brooks, that this committee express to Mrs. Burgess and to her daughter our deep sympathy in their bereavement; and that we desire also to express most sincerely our real appreciation of the service which the late Mr. Burgess gave to the veterans generally and particularly to this committee.

Hon. MEMBERS: Hear, hear.

Mr. DICKEY: Those of us who have been on this committee for a number of years know very well the great service Mr. Burgess performed and I assure you, Mr. Chairman, that this is no perfunctory resolution, but one which is most sincere and which I trust will be adopted unanimously by the committee.

Mr. BROOKS: In seconding this resolution I want to say that I have known Mr. Burgess for perhaps as long as any member of this committee, and it was with deep shock that I learned that he had passed away. Mr. Burgess has been the clerk of this committee for I think practically ever since we have been sitting here in recent years, for the last 10 or 15 years at least—so long, really, that I cannot say how long it has been. I might also say, as Mr. Dickey has so well said, that as clerk of this committee I have always found him a great help; whenever we have needed papers or whatever we needed we went to Mr. Burgess and he went to all sorts of trouble to see that we obtained what we asked for. I feel that the committee has suffered a great loss in the passing of this very fine gentleman who never spared himself. He was not an old man; he should have had many more years of service; and he also should have had many years of retirement in which to enjoy life. I feel sure that you, Mr. Chairman, and the members of the committee will agree with me in expressing great sympathy on the part of this committee, and I expect that you, sir, will express to the widow and family our very sincere regret at his passing.

The CHAIRMAN: Thank you, gentlemen.

Those in favour of the motion?

I declare the motion carried unanimously.

The CHAIRMAN: When the committee rose at our last meeting we were discussing War Veterans Allowance and it has been our intention to continue with that matter at our next meeting. There has been some delay in meeting,

responsibility for which I share with a large number of the members of the committee; but it now happens that the chairman of the Canadian Pension Commission, Brigadier Melville, is called out of the city at the end of the week and I felt that the committee should hear him—he will most certainly not be with us next week—and we should try to deal with these two bills which I know the committee would like to have his advice on. I therefore took it upon myself to consult with the steering committee yesterday, and they agreed with me that it would be advisable to suspend the order of business today in order to take into consideration bills 184 and 191, in order that the committee might have the advantage of Mr. Melville's advice; and that a report should be received from the steering committee and I will ask Mr. Dickey to make it now.

Mr. DICKEY: As authorized by the steering committee, I beg to move that the committee should suspend consideration of the War Veterans Allowance bill for this sitting of the committee and consider forthwith bills number 184 and 191.

The CHAIRMAN: Is there any discussion?

Those in favour—

Those opposed—

I declare the motion carried.

The CHAIRMAN: Before we proceed with bill 184, gentlemen, I should like to draw your attention to the fact that we have with us today in the committee room—I don't know whether we will be hearing from him today, but we certainly will be on Thursday—at least I think we will be hearing him on Thursday—Mr. Lumsden, the new president of the Canadian Legion. It has been customary, Mr. President, to acknowledge the presence in our meeting of all important personages, which you certainly have become—leading delegations. Perhaps we should just give a welcome to Mr. Lumsden, president of the Canadian Legion.

(Applause).

The CHAIRMAN: I am not being discorteous, nor is Mr. Lumsden being ungrateful, he will have an opportunity later I think of saying a word or two to you.

This session then is on bill number 184. Perhaps I can simplify matters if I were to say, as the members of the committee already know, that we are bound in our discussions by the rules of the House generally; that is, we cannot amend or change a money bill; and that we are subjected to the same regulations as in parliament itself in our discussion. And now, we have heard from the national organizations their views in respect to the whole general question of veteran legislation, but in our discussions of this bill we are confined to the principle of the bill itself. Would it be the wish of the committee to have a preliminary statement from General Melville, the chairman of the commission?

Agreed.

Mr. J. L. Melville, Chairman, Canadian Pension Commission, called:

The WITNESS: Mr. Chairman and gentlemen, my preliminary statement will be very brief. I am very happy indeed to be before this special committee on veterans affairs once again, and I sincerely trust that I may bring to you such facts, figures or information as might help you in your deliberations.

The CHAIRMAN: Discussion on clause 1, the purpose of which is to adjust the allowance for excessive wear and tear of the pensioners clothing, and it reads:

1. Subsection three of section twenty-six of the *Pension Act*, chapter one hundred and fifty-seven of the Revised Statutes of Canada, 1927, and subsection four of the said section twenty-six, as enacted by section seventeen of chapter thirty-eight of the statutes of 1928, are repealed and the following substituted therefor:

"(2) A member of the forces in receipt of pension on account of an amputation of the leg above a Symes' amputation shall be entitled to an allowance on account of wear and tear of clothing of *seventy-two* dollars per annum; and a member of the forces in receipt of pension on account of an amputation at or above the wrist shall be entitled to an allowance on account of wear and tear of clothing of *thirty* dollars per annum.

(3) A member of the forces in receipt of pension for any other disability for the relief of which any appliance must be worn or treatment applied which causes wear and tear of clothing may, in the discretion of the Commission, be granted an allowance in respect of such wear and tear not exceeding *seventy-two* dollars per annum."

Is there any discussion on clause 1?

Mr. MACDOUGALL: Is this on bill 184?

The CHAIRMAN: Yes, bill 184, clause 1.

Mr. BROOKS: You are not taking the whole clause, you are taking by subclauses.

The CHAIRMAN: By subclauses, yes. The first one is wear and tear of clothing on account of amputations in which it proposes an increase.

Mr. BROOKS: Mr. Chairman, I would like to ask Brigadier Melville on what he bases the amount here? Is he taking that \$72 as the top? Now, as we all know, the cost of clothing has increased very considerably in the last 10 years, and it seems to me that we should know just what base he uses for this amount of \$72.. Frankly, I do not think it is enough. It seems to me that it should be made equivalent to the amount payable in former years.

The CHAIRMAN: It was \$54 before.

Mr. BROOKS: Yes, \$54 before. It would seem to me that an amount more than double that would not be any more than sufficient at the present time. I think, Mr. Chairman, it is something which we should give careful attention to here in the committee before we accept this amount of \$72.

The CHAIRMAN: Would you care to reply to that, Mr. Melville?

The WITNESS: I am sure you gentlemen will agree with me when I say it is a very difficult matter indeed to estimate what the actual wear and tear on clothing is. The Pension Act for many years, in fact since 1925 I believe, has provided an allowance for wear and tear on clothing. In the case of a leg amputation in the amount of \$54 per annum, and for an arm amputation, at the wrist or above, in the amount of \$22 per annum. The bill before you purports to increase these amounts by approximately 33½ per cent; the \$54 to be increased to \$72, and the \$22 to \$30. Having regard to these cases it provides a very reasonable allowance; in the case of a leg amputation it amounts to \$6 a month in addition to his disability pension.

The CHAIRMAN: Is there any further discussion?

Mr. LENNARD: I must say that since 1925 the price of clothing most certainly has increased 100 per cent, or more; and, therefore, it seems even an allowance of \$100 per year would still be below what would really be required if the \$54 or the \$25 was considered the correct amount.

Mr. DICKEY: Is that the fact, Mr. Chairman; that the original sum put in the Act in 1925 was \$54?

The WITNESS: Yes.

The CHAIRMAN: Yes, Mr. Dickey.

Any further discussions on clauses 1 and 2?

The WITNESS: Perhaps it would be helpful, Mr. Chairman, if I were to point out that there are many appliances worn—there is the drop foot splint, the caliper brace and braces of various kinds. Some persons also have serious and heavy wear and tear on clothing on account of conditions—some, exematic conditions, bowel conditions; others on account of abdominal conditions—and these result in a great deal of soiling and additional wear and tear on clothing, and the amount provided for that now is increased from \$54 to \$72. That is a maximum amount, and the commission exercises discretion in what it considers to be the amount that should be allowed up to the maximum figure provided.

Mr. BROOKS: Was it intended to increase the amount set out in the bill?

The CHAIRMAN: Up to that.

The WITNESS: That is the ceiling.

Mr. BROOKS: That is an increase of 33-1/3 per cent over what it was in 1925?

The WITNESS: That is correct.

Mr. BROOKS: Yes, well, Mr. Chairman, I can protest. I believe that is not sufficient when you take into consideration the cost of clothing which has practically doubled from what it was in 1925.

Mr. LENNARD: It has more than doubled in the last three years.

Mr. BROOKS: It has more than doubled, which makes the situation just that much worse. Here we are keeping it at 33-1/3 per cent. I think, Mr. Chairman, that we as a committee on veterans affairs, considering the amount of money involved, should increase this amount by at least 100 per cent to keep it in relation to the cost of living. And the outlay of one of these men—after all such men are amputees—they are returned soldiers, and I think that they should receive more consideration as returned soldiers than any others. I would like to hear some of the members of the committee discuss this matter. To simply take this bill and put it through year by year without any consideration it seems to me is a little bit cold blooded, and I would like to hear some discussion from the other members.

Mr. QUELCH: I would like to ask Mr. Melville if the amount indicated here is the maximum amount allowed under the Act in every case?

The WITNESS: In every case of leg amputation the amount is statutory, \$54 at present, and that would now be \$72. For an arm amputation case, so long as it is above the wrist the present amount is \$22, and that will be increased to \$30. There will be other appliances—splints, braces and so on—and the amount for that is fixed by the commission to the extent that it considers there is wear and tear of clothing.

Mr. QUELCH: I think the point raised by Mr. Brooks is a good one; in fact, the cost of clothing has gone up very considerably and I think the amount should be raised in the Act. I was wondering if when the increased amount was arrived at account was taken of the fact that we have increased the pension by 33-1/3 per cent and therefore the increases in these cases should be by similar amounts. This is an entirely different situation, particularly in view of the fact that clothing has gone up 100 per cent, or even more than that. If the idea is to compensate him for the increase in the cost of clothing we should make the increase equivalent to the increase in the cost of clothing.

Mr. CROLL: Mr. Chairman, I can only say that I have sat with other members of this committee since 1945—I assume some responsibility, I don't

know—and I have never seen this matter brought before this committee on any previous occasion and I have sat on every committee meeting of this veterans committee since I have been in the House. I certainly would not have stood by and let this matter continue if I had known of it. I was not aware of it.

Mr. BROOKS: It is before us now, and obviously the sum is not adequate.

Mr. CROLL: That is the point that I am discussing. It is before us now in the form of a bill. We have no authority, as Mr. Brooks knows as well as I do, perhaps even better than I do—we have no authority to make a variation in any section dealing with money matters.

Mr. BROOKS: No, but we have the authority to make recommendations.

Mr. CROLL: Well, that may be—

Mr. BROOKS: That is what I hoped the committee might do, recommend to the government that they reconsider it. I know that we cannot amend it by ourselves.

Mr. CROLL: The point I rose to make, Mr. Chairman, was one which I think will appeal to the committee, that somehow when we originally went through the Act we overlooked this portion of it. I do not ever remember the question arising and if it had arisen we would have said immediately, all of us, this is not fair. If we have not made any amendment in it since 1925—certainly something should have been done in 1945, when many of us first sat on this committee. And now, the matter comes before us in this fashion. We have a bill before us and we immediately start making a change in the bill. We haven't got too much time at the present time and my feeling on it is this, that there is some principle here, a base for it, and perhaps we can deal with it on another occasion and correct the anomaly that does exist. And I can't help but agree that if \$54 was enough in 1925, \$72 is inadequate. There is no question about that, today. But on the other hand, we have a bill to deal with and I do not think we ought at this time to keep sending it back with recommendations or amendments. I think if we deal with it now and keep it in mind, on another date we can correct the situation.

Mr. BLAIR: Respecting clause 1, it seems to me that it is not very fair in the light of the pension increase and everything related to it. It brings in the whole question of disability. There are lots of fellows who have braces on their backs, supports and things, and there is the question of soiling, and so on. This is a very important matter. I agree with Mr. Croll that this has been overlooked by the committee previously. I was not aware of this special allowance that was paid out for wear and tear. But there was one thing about it with respect to this committee, while we cannot change a money bill we can still discuss it, and I agree with the suggestion that we should make a recommendation. As I said, I am particularly concerned with these section 2 fellows. They are the fellows who wear certain forms of braces which are subject to soiling and the wear and tear on their clothing is very considerable because of the necessity for their having to use such appliances. I think the committee might reconsider this. As I said, this is a veterans committee. We might as well make a recommendation even if it is against parliamentary procedure on a money bill, that this matter should be discussed, if a wrong exists. There is no harm in our making a recommendation to rectify such a wrong. I must admit, however, that I was not aware of the amount of money paid to these boys in this form.

The CHAIRMAN: Is there any further discussion?

Mr. DICKEY: Mr. Chairman, I quite agree with Mr. Croll. I do not recall our having discussed it in a previous committee. And I remember very well in 1947 the discussion we had with regard to increasing the helplessness allowance

at that time and the substantial increase we gave. But I do agree with Mr. Croll that we are now faced with a proposal in the form of a bill and I think that while the committee, the individual members, might very well give this matter very serious consideration, and that they might or we might make our wishes known to the minister and to the government; the best course to follow at the present time would be to adopt the legislation as it stands with a view to having the matter very carefully considered and perhaps dealt with at an early date in future.

Mr. HOSKING: Mr. Chairman, I am a new member of this committee and I am surprised about this situation existing, but I would like to commend the officers in charge of the Commission who have brought this matter to the attention of the government. One of the things that amazed me, and I believe that we have the best welfare officer in the legion in our Guelph branch of any legion in Canada, is that I have not had called to my attention one case of hardship due to this bill; and I would like to ask Brigadier Melville if there are numerous cases. What is the number directly involved in this group?

The CHAIRMAN: Should I permit Mr. Melville to answer that question before I call on you, Mr. Brooks; or, do you want to ask your question now?

Mr. BROOKS: I want to ask Brigadier Melville a question as well. How much money has he paid out for these services in the past, what yearly amounts, under subsection 2 and subsection 3?

While I am on my feet, again, I must say that I do not follow the reasoning of those speakers who say because this matter has not been brought up before that it should not be brought up just at this time. Either it is adequate or it is not, and if it is not sufficient, then this committee is justified in asking to have it increased; and, if it is not sufficient, this is the time for us to correct it, and not to put it over to some other date. That will only mean piling up more work for ourselves, for this committee. If it is not enough we should ask the government to re-consider. I do not follow their logic in the matter at all.

The WITNESS: With your permission I can answer the questions asked by Mr. Hosking and Mr. Brooks at the same time. There are 3,070 leg amputation cases on whose behalf clothing allowance is being paid at the present time; the annual liability is \$165,780. The increase to \$72 would increase the expenditure by \$55,260. There are 1,294 arm amputation cases. The present liability for clothing allowance is \$28,468. The increase there would be \$10,352. And, under the third section of the bill receiving your attention, that is for other appliances, there are 2,452 recipients at the present time. The annual liability is \$115,244, and that would be increased by \$61,300. The amendment before you would increase the annual liability as at today's date by \$126,912. And in that connection I might add, Mr. Chairman, for the information of the committee, I sought advice as to what was happening in other countries. The United Kingdom has an allowance for wear and tear on clothing of 5 pounds per annum for a single artificial limb, and for more than one artificial limb the grant is £8. The United States has none—they pay no clothing allowance; but they do make some allowance for the issue of clothing. Australia has no clothing allowance, but they have some adjustment in the rates of pension paid. New Zealand payments are very much in accord with rates at present in force in our Pension Act.

By Mr. Blair:

Q. What has been your experience, Brigadier Melville, with these casualties wearing back braces and so on, and those who have trouble in controlling their striata, and where soiling comes in? Can you give us some idea of the number of cases and how they are affected?—A. I have not got a breakdown

of that, Dr. Blair, but I might say that there are 2,452 who wear splints, body braces etc. and some who soil clothing as a result of the very conditions which you mention.

Q. I was thinking of paresis cases and those who have to wear various abdominal appliances?—A. We pay allowances today where there is wear and tear on clothing.

Q. That amount would be raised?—A. From a maximum of \$54 to a maximum of \$72 as provided in subsection 3 of the bill.

Q. Where you have body appliances and where as a result there is wear and tear, how many cases of that type have you got?—A. I have not got that information but I would be glad to get it for you.

Q. But you do have those cases?—A. Oh yes, indeed.

By Mr. Hosking:

Q. Would most of those cases be in hospital, or, if not, what percentage of them would be at home?—A. They would be at home most of the time.

Q. You say they would be at home most of the time?—A. Yes.

Mr. BROOKS: Brigadier Melville has spoken of the United States giving clothing.

The WITNESS: The policy in the United States is that no specific allowance is given for damage to clothing due to the wearing of artificial or surgical appliances; but special clothing may be supplied where it is necessary in connection with the use of appliances, and I understand that such issue is quite restricted in its application.

The CHAIRMAN: Is there any further discussion?

Mr. LENNARD: Is \$72 the maximum for a multiple amputation case?

The WITNESS: That is right.

The CHAIRMAN: Shall the clause carry?

Carried.

Clause 2

Increase not exceeding three hundred dollars annually between dependent parents of deceased member.

2. Subsection four of section thirty-three of the said Act is repealed and the following substituted therefor:

(4) In cases in which a member of the forces has died leaving more than one parent or person in the place of a parent who were wholly or to a substantial extent maintained by him, the pension for one such parent or person may be increased by an additional amount not exceeding *three hundred dollars* per annum and the total pension apportioned between such parents or between the parent and such other person.

At this point I have taken the opportunity in your name to offer to the President of the Canadian Legion the opportunity to speak to this clause today because it was the subject matter of a resolution at their recent convention in Montreal.

I now invite Mr. C. B. Lumsden, the President of the Canadian Legion to make his statement.

Mr. C. B. LUMSDEN (President of the Canadian Legion):

With your permission, Mr. Chairman, I will present the material which we have in our brief with reference to pensions. I shall begin on page 1 under the heading "pensions".

The CHAIRMAN: This is a new brief following the convention and we are just dealing today with this part of it which deals with "pensions".

Mr. LUMSDEN: Our last appearance before you was prior to our convention in Montreal and at that general convention certain resolutions were passed which the convention asked us to present, if possible, to this parliamentary committee.

In regard to the section on dependent parents, our previous brief asked for an increase of \$100 in the amount payable to a single parent, and \$125 where two parents were being maintained; and then, in addition, at the convention, it was asked that when the widow of a deceased member of the force remarries, that an award of pension be made to a dependent mother for an amount deemed necessary for her adequate maintenance; and secondly, that no deduction in pension to a dependent parent be made because of the receipt of old age pension.

Now, in both these cases there seems to be sound reasons for the request. In the first place, under existing regulations, the Act makes provision for an award of \$480 a year to a dependent mother while the pension is paid to the widow. I believe that has been in existence for quite some time.

But if the widow remarries and the Pension Commission is no longer under obligation to pay a pension to the widow, it would seem only just that the dependent mother have the same rights she would have had if her son had been single, and thereby draw a pension up to the maximum permissible.

In the second place, since old age pensions are payable of right and not as of need, it is hard to justify either to the recipient or to the veterans in general the withholding of this amount from the small pension permissible to dependent parents. I do not think it is the desire of the government or of this committee to be other than generous when there is actual need in the case of a dependent war casualty. The rates paid to dependent parents are small and the old age pension would not do any more than simply to bring them up to a minimum standard of living.

The Ralston Commission back in 1924 recognized the actual inadequacy of basic pensions which permitted an annual income for a widowed mother, apart from cash earnings, of \$240. A comparable sum today in the light of the actual purchasing power of the dollar would be nearer \$400. Our own taxation system implicitly recognizes the greater demand on declining years by raising the exemption for a married person to \$500 at the age of 65, and we would be only applying a recognized principle of long standing if we asked that the old age pension payments be not deducted from the small pension granted to dependent parents.

I really think, gentlemen, that it is not necessary to argue this case in detail because the facts speak for themselves. And I think that the requests are reasonable.

The CHAIRMAN: Does any member of the committee desire to ask Mr. Lumsden any questions? And while you are thinking about it perhaps I might ask Brigadier Melville, Chairman of the Commission, to comment on the implications of the recommendations.

The WITNESS: Gentlemen, the first recommendation is on page 2, recommendation No. 1. I am very happy to see that the Canadian Legion is advocating what has been the policy and the practice of the commission. Section 33-2 of the Act is the one which governs the commission and it states that:

(2) In cases in which a member of the forces has died leaving a widow or a widow and children or orphan children entitled to pension in addition to a parent or person in the place of a parent who previous to his enlistment or during his service was wholly or to a substantial extent maintained by him, the commission may, in its discretion, award a pension to each such parent or person not exceeding four hundred and eighty dollars per annum.

I am sorry that our good friends of the legion are not familiar with our policy. Perhaps it may be because there has been no complaint with regard to that particular group.

Mr. BROOKS: How many cases would there be; could you give us an idea?

The WITNESS: No, I have no idea. There might be between 20 to 50 which have come through in my experience, where that circumstance has occurred. I would think that we have taken care of 50, anyway. However, that is the policy and the practice that we follow. When a widow remarries, she is no longer a widow with a child or children. If there is a child and we are paying a pension on behalf of that child, we cannot increase pension for the parent beyond the statutory limitation.

Mr. MACDOUGALL: Actually, Mr. Chairman and Brigadier Melville, we are now doing what this legion brief recommends.

The WITNESS: Exactly!

The CHAIRMAN: And you feel that you have the statutory authority for the commission's policy under the present Act?

The WITNESS: The commission considered that it was a question of interpretation, and at a general meeting the policy and practice was established and has continued.

The CHAIRMAN: Thank you! Is there any further discussion on the presentation?

Section 2, "increases not exceeding \$300 annually between dependent parents of deceased member." Shall the clause carry?

Carried.

Mr. BROOKS: May we have some idea from Brigadier Melville just what effect that will have?

The WITNESS: The statute provides that the maximum amount payable on behalf of one dependent parent is \$75; and where there are two dependent parents, allows an increase by an amount not exceeding \$15; so that in the case of two dependent parents, we may at the present time pay a maximum of \$90 per month. The amendment proposes to increase that to \$100; \$75 where there is one parent; and by an amount not exceeding \$25 where there are two parents.

The CHAIRMAN: I think back of that lies the desire to bring the allowance paid to two dependent parents in line with the most generous old age pension which is payable in any province in Canada.

Shall the clause carry?

Carried.

By Mr. Gillis:

Q. In connection with the No. 1 recommendation, is it assumed here that the widow was maintaining the mother of the deceased?—A. No.

Q. You say that when a widow of a deceased member of the forces remarries, the award of pension to be made to a dependent mother is an amount deemed necessary for adequate maintenance. Is not the assumption there that the mother is maintained by the widow?—A. No. We have very many cases in which a member of the forces upon enlistment made an assignment in favour of the mother on whose behalf dependent's allowance was paid. During service, he marries, and he has now another dependent on whose behalf he assigns his pay, and the dependents' allowance is paid. Sometimes he assigns a smaller amount and still claims his mother as an added dependent. Then again, in the Pension Act, there is provision for prospective dependency. The mother may not be a dependent of a member of the forces today, but in the event that her husband should die, she may become a dependent and we can

provide for the mother. If, in the opinion of the commission, the mother of a member of the forces would have been dependent on him had he lived, then we may award a pension to the mother as well as the widow.

Q. What has the widow remarrying got to do with it?—A. Where there is no widow, we may pay up to \$75 for one parent; but where there is a widow and she is entitled to pension, we are limited to \$40 monthly. Now, when the widow remarries, her pension ceases. That is what the legion recommends, namely, that we pay her a maximum of \$75 instead of \$40. That has been our practice.

Mr. BROOKS: Mr. Gillis' point is that the need is just as great for the widow.

By Mr. Gillis:

Q. I think that the provision whereby the widow must be removed from the pension list before the mother may receive an allowance is not exactly fair because if the mother has a dependent parent, or the widow, I do not think that the granting of an adequate allowance to the mother who is qualified should be contingent upon the widow remarrying. I think she should be in a position to receive the maximum reward without that proviso of the widow re-marrying.—A. The statute has limited it. The original award for the parent used to be \$15 a month, but it has been gradually increased so that it is \$40 a month at the present time.

Q. The recommendation made by the legion as to the amount in regard to the dependent mother can be put into operation under this bill?—A. It is now Commission practice.

Q. You are meeting the request of the legion, but I still think you should take a look at that proviso of the widow remarrying. I do not think that her allowance should be contingent upon the widow remarrying.

The CHAIRMAN: I think that would require an amendment to the statute which is something we are not dealing with at the moment.

Shall clause 2 carry?

Carried.

We now come to clause 3.

No action or proceeding against the Crown where death or disability pensionable.

3. The said Act is further amended by adding thereto the following section:

69. No action or other proceeding lies against Her Majesty or against any officer, servant or agent of Her Majesty in respect of any injury or disease or aggravation thereof resulting in disability or death in any case where a pension is awarded or awardable by the Commission under or by virtue of this or any other Act in respect of such disability or death.

I shall now ask Mr. Lumsden to make a comment.

Mr. LUMSDEN: There is nothing in our brief in regard to that section, Mr. Chairman. We really have not had an opportunity to study it as carefully as we would like to, having regard to the very widespread implications of the Act. It came out too late to be dealt with in advance by means of a resolution at the convention; therefore, until we have had an opportunity to explore quite fully the implications in regard to the members of the forces, I do not think that the legion is prepared to make representations.

The CHAIRMAN: Perhaps Mr. Melville, the witness, could indicate the circumstances which gave rise to this proposed amendment.

The WITNESS: I cannot do better than to quote an explanatory note:

3. This is a new section.

The purpose of this amendment is to ensure that an applicant whose claim is based on accidental injury or death due to negligence of a servant of the Crown, shall not be placed in any better position than an applicant whose claim is based on disability or death due to enemy action.

There was a bill before the house at the last session, an amendment to the Petition of Right Act, and there was a very full discussion in the house. It will also be remembered at that time that reference was made to the case of Bender versus the King in 1947 wherein a judgment was rendered by the Supreme Court of Canada and that judgment led to an amendment of the Government Employees' Compensation Act in the same year, 1947. I shall read the amendment which was incorporated into that Act in that year. It was assented to on the 14th of May, 1947, and reads:

9 (5) No employee or dependent of such employee shall have a claim against His Majesty or any officer, servant or agent of His Majesty, except for compensation under this Act, in any case where an accident happens to such employee in the course of his employment under such circumstances as entitle him or his dependents to compensation under this Act.

What we are doing now is to bring the Pension Act into line with the Government Employees' Compensation Act. For instance, a member of the forces died in 1945 and he left a widow and two children who were awarded pension. An application was made for a Petition of Right to sue the Crown and was granted. That case was heard by Mr. Justice Cameron, and he issued a very lengthy judgment, and a very interesting one. His judgment awarded \$18,000 to the widow and \$6,000 on behalf of each of the two children, making a total of \$30,000. And judgment was rendered in 1951. It is interesting to note and I shall quote from the judgment.

By Mr. Brooks:

Q. What was the case?—A. The case was entitled Elizabeth C. Oakes versus the King.

Q. And what is the citation?—A. The case was tried in the Exchequer Court of Canada before Mr. Justice Cameron last year and he says, in part of his judgment:

I am not unaware of the possible results of the finding which I have made. Instead of granting a speedy settlement under the Pension Act, it may be necessary before a pension is awarded to closely investigate the cause of every injury to or death of a serviceman, to consider the question of contributory negligence, and in many cases to await the result of protracted litigation. But with such matters the Court is not concerned. That is a matter for parliament to consider.

That is the end of the quotation. That is one reason why this amendment is brought forward today. The amount of \$30,000 was in excess of the capitalized award of pension for the widow and her two children. The actual capitalized award for the widow of her pension was about \$12,000, and, roughly, about \$2,500 for each child; and the widow elected to retain the proceeds of the judgment.

Q. Is that a case where the pension would not in any way compare with the amount that the court would grant? She would have, under this Act, to accept the pension. She cannot sue the government?

Mr. CROLL: The one service which we can render to the serviceman of this country is to keep him out of the courts. I think our experience with the Workmen's Compensation Act justifies that.

The CHAIRMAN: Hear! Hear!

Mr. CROLL: And similar sources have indicated it clearly to all of us and to the country generally that they are much better off under compensation than they are under their chances when they go before the courts. We should not encourage any of them to go before the courts because they will find they will get far more under the Pension Act than by resorting to the courts.

Mr. BROOKS: But suppose a civilian went into court and got \$18,000. He would not be in as good position under the Pension Act as was the case of that widow in the courts which you cited.

The CHAIRMAN: The widow, if she gets a pension in a case like that will get \$100 a month, and the first child, during the period she is eligible for it, under the amended legislation. The capitalized amount is \$140 a month, which is a substantial income for the widow and which is continuous throughout her life time.

By Mr. Applewhaite:

Q. Is this section intended to apply only where the damages or other award would be paid by the Crown in any event, or would it apply if the servant or agent of Her Majesty was held to be personally liable? Would this section still apply? Does the section apply in the case where a servant would be personally liable, or would it only be applicable where an award would be payable by the Crown?—A. I would prefer to have one of the legal members of the committee answer your question, Mr. Applewhaite. Perhaps there is someone more versed in the law who can answer it.

Q. I would like to have a decision on that?—A. The whole purpose is that it is probably grossly unfair when disability or death results from an act of an agent of the Crown, the widow should be entitled to a pension under the Pension Act as well as to compensation under a judgment rendered by a Court.

Q. I still want to know definitely whether this only applies to awards against the Crown or if it applies to awards which result from negligence. Surely there are a great many cases where people are injured as a result of negligence in which the award made, or part of it will, compensate them for their loss of earning capacity, which is firm damages; and in many cases, particularly if the action is based on negligence, there will be quite a large award which is known as compassionate damages, as a recompense for suffering; and in regard to them, I think this second type of damages would not be recoverable at all if this case should come into effect.—A. All the other cases to which you refer are covered by a section of the Pension Act, where there is liability and an action is taken. As a case in point I would cite the Canoe River train wreck. There were a number of members of the forces who were injured and there were a few deaths. Settlement was arrived at by the Canadian National Railways. We have considered damages paid in the case of a widow, where the settlement was less than the capitalized value of the pension. She elected to receive her pension of \$100 monthly and she paid over the amount received from the Canadian National Railways to the commission and received her full award of pension. Had she retained the settlement of the Canadian National Railways her pension would have reduced accordingly.

Q. Suppose she had sued the Canadian National Railways? Suppose a man had been injured and he sued the Canadian National Railways and got a judgment partly based on compassionate grounds for suffering caused without any reasonable excuse. Then, under this section—never mind how large that judgment was against the Canadian National Railways—the serviceman would be held to the amount that would be awarded by the enemy in wartime. Is that right?

Mr. GILLIS: This section is pretty well tangled up, and I think it is pretty broad in its implications. The section is only operative where there is death or disability which is pensionable. Now there are a lot of accidents taking place in the services where death or disability is not pensionable. You might raise a young fellow until he is 18 or 19 years of age and then send him into the services, and through negligence he is either killed or badly injured. If he is killed he loses his life, and if he is not married, and if his parents are not dependents, there is no action that can be taken by the parents for the loss of their son. That might be a pretty bad angle. I know of the case of a young fellow just recently in Korea, and there are many cases that I can think of under this section in which it is pensionable but no action can be taken. I think we should keep that trend of action on the part of those who are not in the services but who are responsible for children who are in the services over the head of National Defence. In my opinion, it is a measure that will tighten up and make those in charge of young recruits much more responsible if that is enacted as it is. At the present time no action can be taken against the Crown for a debt or injury under any circumstances. I think that it is a bad principle.

The CHAIRMAN: Will you permit me to interject, Mr. Gillis. As you stated, you have reversed the procedure.

Mr. GILLIS: Yes, and I have done so deliberately.

The CHAIRMAN: The procedure proposed is that where a pension is payable, no action lies; but where a pension is not payable, the right to take action is not restricted. But you have completely reversed the procedure on this clause.

Mr. GILLIS: I wanted to provoke an interpretation from some of our lawyers in that respect. Mr. Croll and Mr. Mutch have indicated that in the cases which I have described where no pension is indicated, there would be right of action.

The CHAIRMAN: That is the effect of it.

Mr. GILLIS: But you can take an action?

The CHAIRMAN: Surely, that is what it says.

Mr. GILLIS: Then I am glad to hear you say that. I still think, though, that the matter is one that requires considerable attention and thought. I do not agree with Mr. Croll at all when he says that the compensation should be kept out of the courts, and that it is a good thing to keep it out of the courts. I think it is a very bad thing when there is no appeal against the compensation board. My fight for a good many years has been to try to get some kind of an appeal, not exactly the kind which a man can get in the courts, but some kind of appeal against the decisions of the compensation board.

Mr. CROLL: Would you do away with our compensation board?

Mr. GILLIS: No, I would not do away with them, but I would not have them set up as the kind of body they are today.

Mr. CROLL: That is not within our province.

Mr. GILLIS: I think that it is. Your only Court of Appeal is to be legislature, with respect to the pensions that are paid; and the compensation payments in this country in comparison with your veterans legislation, I think, are just "out of this world".

Mr. CROLL: I stand corrected by Mr. Gillis. He is quite right when he says that. I overlooked the lack of appeal on compensation; but I still would not give up compensation.

Mr. GILLIS: You certainly do not want to get that kind of thing in pension legislation. I am glad to hear our lawyer members say that in the event of an action resulting in death or disability, if no pension is indicated, anyone on the outside who desires to bring an appeal against the Crown is entitled to do so.

The CHAIRMAN: That is the statute.

By Mr. Brooks:

Q. I would like to ask another question of Brigadier Melville. Suppose a man goes absent without leave and suffers a serious accident in a motor car or something; would he be eligible for pension?—A. He is not pensionable. Pension may only be awarded in accordance with the extent of the disability incurred if at the time he was in receipt of pay and allowances; therefore, if he was absent without leave he would not be in receipt of pay and allowances at the time the disability was incurred.

Q. I was thinking of what Mr. Gillis said, if we should raise a boy to 18 or 19 years, and if he should go absent without leave.

Mr. CROLL: I am told that they go absent without leave much older than that.

The WITNESS: It is provided for in section 11-(i) (f) of the Act:

(f) No pension shall be paid for disability or death incurred by a member of the forces,

(i) while on leave of absence without pay, or

(ii) when such member of the forces has, during leave of absence with pay, undertaken an occupation which is unconnected with military service, unless his disability or death was attributable to his military service.

So it is pretty well covered by the statute.

The CHAIRMAN: Shall the clause carry?

By Mr. MacLean:

Q. I am not clear in my mind exactly what this means, Mr. Chairman. I think that Brigadier Melville made reference to the accident in the Canoe river railway case. Would he tell us, if this section passed, and if an accident of that type were to occur, what would be the position of, let us say, two soldiers, and a civilian riding on the train under those circumstances. One soldier is on duty. If the soldier had no dependents, therefore there would be no one who would be pensionable when he is killed, I take it; and presumably his family or next of kin could sue the government for damages. Suppose the second man was married or had some dependents who received a pension. In that case the next of kin would not be able to sue the government; and in the third case, that of a civilian of the same age and everything else, I take it that his next of kin, presumably, could sue the government. Is that the intent of this?—A. If a member of the forces suffered a disability or death while travelling, let us say, on the Canadian Pacific Railway, there would be a right of action against the Canadian Pacific Railway. And if that happened in the Canoe river train wreck, which was Canadian National Railways at the time, the right of action lay there; but in most cases it was settled by the Canadian National Railways; there was settlement made with the member of the forces or his dependents; and they would have to decide whether they would retain the proceeds, or turn them over to the commission and accept a pension. They cannot get both.

The CHAIRMAN: Shall the clause carry?

By Mr. Applewhaite:

Q. I am still not satisfied. I think that question is capable of being answered. Admittedly the death must be of such a nature that it is pensionable, I mean the death or injury; but such a death or injury could easily occur under circumstances where, if they were not pensionable, they would give the injured party the right of action against the individual; and that individual might be a servant of the Crown. So I want to know:

Does this not only stop the suing of the Crown, but also stop the suing of such an individual in his personal capacity? For the sake of argument, a unit is on parade and a man who is an employee of the government and is driving a government truck may run down one of those fellows on parade, and he is injured or hurt. It is pensionable because he was on parade, or on duty at the time; but if it was not pensionable, there would be the right of action against the driver of the truck as an individual. Has he lost that right of action now?—A. No!

The CHAIRMAN: The answer is "no"; and that the personal liability of the driver remains as a personal liability.

Mr. APPLEWHAITE: With respect, Mr. Chairman, I do not think that the answer is right.

Mr. BENNETT: The section says that no action should lie against any officer or servant of His Majesty, and I think that is the way it should be.

The WITNESS: I shall ask Mr. Macdonald, the Secretary of the Commission to answer the question.

Mr. K. M. MACDONALD: I would say that the bar only applies if the pension is awarded. If he is awarded a pension or if his dependents are awarded a pension, they have no right of action against the Crown; but if there is no entitlement to pension, then they can sue the Crown in the ordinary course, and if successful they may recover damages against the Crown.

Mr. BENNETT: Mr. Applewhaite asked whether the claim against the truck driver, who was the individual servant of the Crown, or the agent of the Crown, would stand?

Mr. MACDONALD: The servant of the Crown would be protected in the event that the pension was awarded; but if the pension was not awarded, then there would be no protection.

Mr. CROLL: I take it that you consider "officer, servant or agent" to be descriptive and not limiting?

Mr. MACDONALD: I do.

Mr. CROLL: That is right; but if there is no pension awarded or awardable, then there is no limitation.

Mr. MACDONALD: That is the situation.

Mr. BROOKS: I am a bit concerned about that wording: "awarded or awardable". Suppose this man says: "I do not want a pension. I prefer to take my chances in suing the government." He has no choice in the matter at all if the pension is awarded. I can understand that. But if the pension is simply awardable, he should not be deprived of his right to sue, if he so chooses to exercise it.

Mr. CROLL: His limitation of action is long enough for the pension to be awarded or the matter concluded before he makes up his mind.

Mr. BROOKS: But he may not make an application for pension. He may say: "I would like to have a choice."

The CHAIRMAN: Does the clause carry?

Mr. MACLEAN: There is one thing which is not clear in my mind. Supposing a soldier's widow receives a pension because her husband was killed on account of an accident. I can understand that she would not be able to sue the Crown under this amendment; but does this prevent other people from suing the Crown on account of that accident, such as the man's mother, even though she was not receiving a pension?

Mr. MACDONALD: The test is the same, pension must either be awarded or awardable.

Mr. MACLEAN: There may be a pension awarded to a man's widow, but someone else still has the right to sue the crown?

The CHAIRMAN: This Act does not reach out beyond the person who is the beneficiary by pension. That is the intent of the Act. Where the pension is awarded, there is a limitation. But if someone else can show damage from the accident, then his right to sue is in no way restricted, because he has no pension.

Shall the clause carry?

Carried.

Shall clause of "Schedules Amended" carry?

Carried.

Schedules Amended.

4. Schedules A and B to the said Act, as enacted by section one of chapter nineteen of the statutes of 1951 (Second Session), are amended by striking out the words "and Captain under three years' seniority", wherever they appear therein.

This is a tidying-up amendment. We know that the navy no longer differentiates between captains under 3 year's seniority; and there is no longer any deduction in the schedule.

The WITNESS: That is correct.

The CHAIRMAN: Shall the clause carry?

Carried.

Shall the title carry?

Carried.

Shall I report the bill?

Carried.

Mr. LENNARD: On division.

The CHAIRMAN: The next one is Bill 191 "An Act to amend the Civilian War Pensions and Allowances Act."

This bill is very limited in its scope and with the consent of the committee I shall now ask Mr. Melville to explain it.

The WITNESS: This is a very simple bill, Mr. Chairman. There are 10 parts in the Civilian Act, and in eight of those parts, the compensation is governed by the scales which are set out in the Pension Act. In two parts, part 6, Air-raid Precautions Workers, and part 8, Voluntary Aid Detachment, the schedules I and II actually have never been revised since the Act came into effect in 1946. At the present time there are four disability awards for air-raid protections workers, and one dependent under part 6. There is only one award under Voluntary Aid Detachment. Therefore the intention of this simple amendment is to increase the amounts in schedule I and II of The Civilian War Pensions and Allowances Act by 50 per cent, which would make up for the pension increase which was awarded from the 1st of October, 1947, and again increased by the December 1951 amendment to the Pension Act.

The CHAIRMAN: Shall clause 1 carry?

Carried.

Mr. GILLIS: How many merchant seamen are pensioned under that Act?

The WITNESS: They are provided for under the same scale as in the Pension Act, and they benefit by the increases which have been made.

The CHAIRMAN: Shall clause 1 carry?

Carried.

Shall clause 2 carry?

Carried.

Shall the schedules carry?

Carried.

Shall the title carry?

Carried.

Shall I report the bill?

Agreed.

Gentlemen, I gave an undertaking to some of the members of our committee that when we began deliberations today the adjournment of the war Veterans' Allowance discussion would not be resumed until our next meeting. There is one other bill, "An Act to Amend the Veterans' Insurance Act", bill 183. Does the committee desire to make a beginning on it? We have some time left, otherwise we will adjourn. But perhaps there is an alternative course which might accommodate Mr. Lumsden.

I had undertaken to Mr. Lumsden, as I thought you would wish me to do, to give him an opportunity to read the rest of his brief to the committee at the beginning of our next meeting. Perhaps it would accommodate you to do so today. Could you finish it between now and six o'clock?

Mr. LUMSDEN: I think so, Mr. Chairman.

The CHAIRMAN: If the committee is agreeable, I would now ask Mr. Lumsden to present his brief. It would save time next week.

Agreed.

Mr. LUMSDEN: I would like to say that we appreciate this opportunity of bringing to you some of the results of our convention held in Montreal. As you know, there were a great many resolutions passed and most of them, in due time, will be presented to the appropriate ministers. But there were some which either dealt directly with the brief which we previously presented, or with matters under advisement in this committee. So we are asking for the privilege of making a separate presentment to you on these matters.

Children's Allowance

The convention called attention to the fact that in two cases the provision for children in existing regulations were somewhat out of conformity with the basic principles behind them.

The first has to do with orphans, who through force of circumstances, are placed in separate homes. The present Act, on the assumption that there is a descending ratio of expense when there is more than one child in a home makes provision for children on a descending scale. \$20 for the first child, \$15 for the second and \$12 for the third. Orphan rates would be double these. However, if orphans are placed in separate homes these descending rates would not apply and we feel that the maximum provision should be made for each child in such cases. The total sum involved would be small. The individual benefits significant.

The second anomaly deals with the case of pensioners who have adopted children. The present Act makes no provision for them, with a few exceptions.

We believe that the individuals who adopt children and give them a home they can call their own are showing the highest qualities of citizenship and certainly should be accorded equal rights and privileges under the pension law with those who are fortunate enough to have children of their own. I think the Pension Act is the only Act which makes a distinction in rate between natural children and children who are adopted. We, therefore, recommend that Section 22 (3) of the Canadian Pension Act be amended as follows:

In the last line of the subparagraph after the word "disease" and before the word "shall" insert the following—

or a child legally adopted subsequent to such injury or disease.

The aforesaid Section 22(3) should then read—

No pension shall be paid to or in respect of a child unless such child was acknowledged and maintained by a member of the forces in respect of whom a pension is claimed at the time of the appearance of the injury or disease which caused the disability for which he is pensioned or which resulted in his death. Provided, however, that a legitimate child born subsequent to the appearance of such injury or disease, or a child legally adopted subsequent to such injury or disease, shall be entitled to a pension.

Rehabilitation Credits for Deceased Veterans' Families

The convention further indicated that it felt that the country, in memory of its war dead, could do something more for the family of one who died in service, and recommended that the rehabilitation credits which would have accrued had the husband or father lived or some equivalent provisions be made available for his family.

Specifically there were two related resolutions—the first said—

Resolved that all such entitlements and credits etc., which the veteran would have received had he been spared to return be made available to his family.

the second said—

Be it resolved that the federal government be requested to instigate a policy for the children of deceased service men similar to that in force for single student veterans attending university or vocational training schools and receiving a monthly allowance under the Rehabilitation Act.

These two resolutions are similar in purpose, and we are sure will commend themselves, both to the members of this committee and to the government. The people of Canada through their government would want to assume the obligation indicated in these resolutions, and see that these young people be assured of an opportunity for training and education which we may reasonably assume the father would have provided had he not laid down his life for his country.

Now, on the back page of the brief you will find an estimate of the cost of university education for those receiving orphans' allowance (See appendix A)—that is, their mother may be living but they would be receiving the double allowance. There are something over 11,500 children receiving pension under schedule B. Now, if we estimated that 10 per cent of those would pursue education beyond secondary school level, it would make some 1,150 eligible for this further training. At the present time a single child, orphan rates, would receive \$40 a month. If they were to receive educational benefits comparable to the returned veterans, they would receive \$65 a month plus tuition. That would amount to \$25 a month extra for eight months, an average cost of about \$300 for tuition, approximately \$500 a year for, let us say, five years, a total per individual, a maximum total of approximately \$2000; so that the maximum liability for those 1,150 individuals would be \$2,345,000 between September of 1952 and June of 1968. I might say, gentlemen, that this is not a new project. It was suggested by the Legion in an interview with the then Prime Minister, the Right Honourable Mackenzie King, in 1944, and at that time he expressed approval of it. He expressed the thought that the country could give to its war dead no finer memorial than to provide that when these children should come of university age, or wish to go on to vocational school,

they could be told at the time of their graduation, "because your father laid down his life for his country, your country is going to see that you have an opportunity for training or for education, whichever you desire". We have now come to the time when these children are reaching university age, and it is estimated that this year there will be approximately 120 such children who would normally reach the age of admittance into the university. We would accordingly commend this to your most serious consideration as a partial or substantial recognition of our continuing duty to the families of men who died for this country, and that we do regard their children as our wards and we will see that, as wards of Canada, they receive an adequate opportunity for education or for training, whichever may appear to be desirable in their circumstances.

Now, there were also a number of resolutions in connection with the Veterans' Land Act. Is it permissible, Mr. Chairman, to read this to the committee, or are you going to be taking up the Veterans' Land Act later?

The CHAIRMAN: No, Mr. Lumsden, the Veterans' Land Act has not, so far, been referred to the committee this year, but I think the committee would agree with the practice that we have accepted of allowing the national organizations to make general recommendations, because this is a forum. You will understand the committee has no power to deal with the matter, but if you desire to make representations before the committee, I think there will be no objection.

Agreed.

Mr. LUMSDEN: Thank you. We have been so requested by the convention—

The CHAIRMAN: Properly speaking, for executive action they should go to the minister, and I have no doubt they will.

Veterans' Land Act

The convention also wished us to present to this committee for consideration some matters coming under the V.L.A. and we are including the relevant resolutions which are, I think, self-explanatory.

Whereas under existing legislation benefits under the Veterans Land Act cannot be received if a veteran's re-establishment credit has been expended, and since re-establishment credit was based on weeks of service it is evident that veterans with long service who wish to take V.L.A. benefits are being heavily penalized over those veterans with short service.

Therefore be it resolved that the Department of Veterans Affairs be strongly urged to change the existing legislation to the effect that a veteran's re-establishment credit over and above the amount due for the qualifying six months service be added to any benefits that may be obtained from the Veterans' Land Act.

Whereas enlistment in the Korean Force or Canadian Special Force could make it impossible for enlisted veterans settled under V.L.A. to meet certain key regulations in the V.L.A., and

Whereas the V.L.A. tenancy of such veterans should be protected, provided payments are kept up;

Therefore be it resolved that this Convention urge that immediate steps be taken to amend the Veterans' Land Act to protect tenancy of V.L.A. agreement holders who have enlisted or who will enlist in Canada's Special or Korean Forces.

I think this would make statutory what the department is endeavouring to do at the present time.

The CHAIRMAN: I was not going to interject except for that comment. We have not the V.L.A. with us, but in fact your resolution does seek legislative

authority for what is the actual policy of the Veterans' Land Act at the present time. In fact that is correct, so that it is not a protest against something that is being done but seeking statutory authority for what is being done.

Resolved that this Convention urge the Federal Government to reconsider the basis of their original re-establishment proposal in respect to small holdings, and to make such increases in the basic loan as may now make the re-establishment of the veteran in 1952 more nearly in line with the generous intent of its legislation in 1942 . . .

That is simply a recognition of the fact that costs have gone up so greatly that the provisions made in the early days of the Act are not available now to the veterans who are taking up their holding under V.L.A., as they were when the legislation was first brought down.

" . . . It is recommended that such increase be based on the cost of construction; and that such increment be based on the recommendations of V.L.A. supervisory staff."

Resolved that to ensure continuation of contractual payments the Veterans Land Act be amended so that a veteran may protect his unpaid balance of contract, through a mortgage term-insurance policy, the face value of which policy would decrease with the outstanding contract balance; that the premiums for such policy be partially met in the initial payment by the veteran with subsequent premiums included in the monthly contract figure and, for those already established under the Act, the term policy to be written for the unexpired portion of the required contract period. . . .

That is instead of leaving it to the initiative of a veteran to go to an insurance company and protect his holding by taking out a mortgage term insurance policy, if he can get one, that that be automatically taken care of in the contract, and that the payments be included in the monthly payment.

Be it further resolved that when floods, droughts, pests, livestock epidemics or other disastrous occurrences threaten the security of veterans operating under the Veterans' Land Act, every assistance be extended the affected veterans, even to the extent of moving in additional supervisors where such course is necessary to speed the services; that for cases of proven distress provision be made in the Act to enable the Director to grant supplementary loans at a low interest rate and for extended terms, to enable the veteran to make necessary capital purchases. . . .

I think the intent was to see that the veteran who was operating under the V.L.A. Act should not suddenly find his rehabilitation measures rendered null and void by something beyond his control.

Mr. MACDOUGALL: Could I ask a question on that point, Mr. Chairman. Am I to understand from this section that you have just read, that anything with respect to insects, floods and whatever you have described—that the federal government should adopt the idea that it is a national emergency?

Mr. LUMSDEN: Well, as nearly as I can grasp the intention back of this resolution, is that the regulations of the Act be not rigidly adhered to when conditions such as indicated here make it impossible for the individual to meet those requirements, and that every possible assistance be extended to V.L.A. settlers to see that the intent of the Act is carried out. It may not be a national disaster—

Mr. MACDOUGALL: In other words, a reduction of payment?

Mr. LUMSDEN: Or it might be a waiving of payment for a certain length of time.

The CHAIRMAN: I think I should interject here to say that probably the major catastrophe of this nature was the Red River valley flood, and provision was made at that time, and I think also in the case of the Fraser as well, for the waiving of payments over a period of time. In effect, the extension of services and the waiving of regulations were effected in the two major floods that we have had, and there is no reason to suspect that the department would not be in agreement with that principle, since they have already initiated it.

Mr. LUMSDEN: There would be some individual cases.

The CHAIRMAN: Individual cases have not been heretofore dealt with.

Be it further resolved that the provisions of the Act be amended to reduce minimum acreage requirements to one-half acre; that supervisors' discretionary powers be extended to permit recommendation of approval of contract for veterans where factors other than acreage point to successful establishment, even to the extent that the one-half acre minimum need not be considered irreducible.

There has been a long agitation for the reduction of minimum acreage for the small holding, and a feeling that in many cases the amount of land is more than the veteran needs for his purposes or that that much land is not available in the area in which he wishes to build. That is the purpose of this suggestion.

The CHAIRMAN: Are we to take it that in effect this resolution urges on the department and the government the abandonment of the small holding principle really in favour of urban housing where that is necessary. Is that what it means?

Mr. LENNARD: Not necessarily.

The CHAIRMAN: I am asking the witness. Do not put words in the witness' mouth.

Mr. LUMSDEN: I think the veteran would be happy to have the small holding Act available in urban areas, but this could apply in cases other than urban.

The CHAIRMAN: And your thought is to that extent we should follow the principle of the Act and make it in urban areas—

Mr. CRUICKSHANK: I would appreciate it, Mr. Chairman, if I could hear what you are saying.

The CHAIRMAN: The question I asked was whether or not the Legion felt that it was now desirable to abandon the policy of tying small holdings to land settlements, say in those areas which are in or contiguous to cities, and that we ought to introduce the principle of veteran housing as distinct from the small holding, and I think perhaps Mr. Lumsden will reply again.

Mr. LUMSDEN: I would say that my personal impression from the resolutions that have come in over the years is that the veteran would like to have the provisions of the Veterans' Land Act made available for him in urban or areas contiguous to urban areas where the present minimum land holdings are greater than he requires and perhaps not available. Does that answer your question?

The CHAIRMAN: Thank you.

Mr. LENNARD: It does not answer the whole question to my satisfaction. I think it applies also to those who wish to take small holdings in rural areas.

The CHAIRMAN: That is another question. You may ask it if you wish.

Mr. LUMSDEN: I believe when I first answered the question, Mr. Lennard, I pointed out that more than urban factors were required.

Mr. LENNARD: That is right, that is what I understood you to say.

Mr. LUMSDEN: But when you asked that specific question if we would like to have the Veterans' Land Act available in urban areas, I had to answer according to my own impression of the development over the years.

The CHAIRMAN: Thank you.

Whereas it is presently provided that veterans who purchase land under the Veterans' Land Act and obtain assistance towards the purchase of equipment, household furniture, etc., must continue in occupation of the premises purchased for ten years before they are entitled to the specific benefits provided under the existing scheme;

And whereas it is felt that certain hardships arise in the case of the death of a veteran as a result of his war service, some provision should be made to permit dependents of veterans to receive full benefits under the scheme without the necessity of their completing the ten year occupation required. We feel that the veteran has paid in full.

I do not think there could be any question of the good faith of the veteran if he died and left his dependent. I think the ten-year requirement certainly could be waived in that case.

Now, in regard to war veterans' allowance, I would like to say, Mr. Chairman, that the convention was very greatly concerned over this problem which they felt was extremely urgent. The Brief we presented to you previously was unanimously endorsed. However, there is one further representation we desire to make on the basis of resolutions from Ontario, Manitoba and North-western Ontario, Alberta, and British Columbia, and that is that W.V.A. be amended to include all widows of eligible veterans who are prevented from accepting remunerative employment for any reasonable cause.

That would in most cases be the widow with a small family, regardless of her age, and who because of her family finds it impossible to go out and accept employment.

There is virtual unanimity of experience behind this recommendation growing out of the problem of the widow with children whose home and family obligations make it impossible for her to accept employment. This request appears reasonable and we would ask you to give it your most sympathetic attention.

Mr. Chairman, Members of the Committee—this completes our submission on the matters presently before you. We thank you for this opportunity of presenting to you the thinking of the veterans of Canada; for our submissions are all based on the practical day to day experience of branches all across Canada, and have been approved by our general convention, and trust that in your deliberations you may find them worthy of acceptance. I would be remiss in my duty however, if I failed to impress upon you the fact that War Veterans' Allowance is an issue of very great importance and urgency to our membership across Canada, and they are looking to you in your capacities as Members of Parliament to help frame legislation suitable to their needs.

I thank you, Mr. Chairman.

The CHAIRMAN: Thank you. That, gentlemen, will conclude our deliberations today. We will, if it is practical, and I believe it is, resume at four o'clock on Thursday afternoon, but notice will go out in the regular manner. You will be notified of it. We agreed at the beginning to meet on Mondays and Fridays, but it has been discovered by this committee that meetings on these days seemed to be impracticable. Indeed, three different meetings have been postponed at the request of members of the committee and I try to accommodate myself to the committee in that fashion, but it seems to be the general opinion that we can do better at this stage of the session by sitting Tuesday and Thursday afternoons; unless some unforeseen development happens we will follow that practice until we conclude our deliberations.

Mr. LUMSDEN: I would like to say to you that while the subject matter and the line of the recommendations which you bring to us deal with a subject which is not before the committee at the present time, they will, of course, be published in our minutes and I shall personally bring those recommendations to the attention of the Director of the Veterans' Land Act, and of the minister, and I can assure you that the Veterans' Land Act, in whole and in part, is undergoing study and examination at the present time with the view, which is the policy, of extending the benefits as widely as may be practical.

APPENDIX A

ESTIMATED COST OF UNIVERSITY EDUCATION FOR ORPHANS

Some 11,527 children are receiving pension under Schedule B. It is estimated that 10 per cent—1,150—will pursue education beyond the secondary school level. The annual cost of training allowances and fees per year will average \$500.00. Assuming that payment is made for the maximum of four academic years, the maximum liability per individual is \$2,000.00.

Thus, the maximum liability for 1,150 individuals is \$2,345,000 between September 1952 and June 1968. (See following analysis).

| Age at March 1, 1952 | Number | Estimated 10% Post-secondary education | | Est. Cost per fiscal year at maxi- mum \$500 per year | | Year |
|-------------------------|--------|---|-------------------------------|---|----------------|---------|
| | | Est. students in each year | Est. students in each year | | | |
| 19 | 636 | 60 | 60 | \$ | | 1951-52 |
| 18 | 578 | 60 | 120 | | 60,000.00 | 1952-53 |
| 17 | 616 | 60 | 180 | | 90,000.00 | 1953-54 |
| 16 | 694 | 70 | 250 | | 125,000.00 | 1954-55 |
| 15 | 754 | 80 | 270 | | 135,000.00 | 1955-56 |
| 14 | 824 | 80 | 290 | | 145,000.00 | 1956-57 |
| 13 | 1,024 | 100 | 330 | | 165,000.00 | 1957-58 |
| 12 | 1,196 | 120 | 380 | | 190,000.00 | 1958-59 |
| 11 | 1,380 | 140 | 440 | | 220,000.00 | 1959-60 |
| 10 | 1,406 | 140 | 500 | | 250,000.00 | 1960-61 |
| 9 | 1,178 | 120 | 520 | | 260,000.00 | 1961-62 |
| 8 | 726 | 70 | 470 | | 235,000.00 | 1962-63 |
| 7 | 278 | 30 | 360 | | 180,000.00 | 1963-64 |
| 6 | 117 | 10 | 330 | | 165,000.00 | 1964-65 |
| 5 | 77 | 10 | 120 | | 60,000.00 | 1965-66 |
| 4 | 34 | — | 50 | | 25,000.00 | 1966-67 |
| 3 | 9 | — | 20 | | 10,000.00 | 1967-68 |
| | 11,527 | 1,150 | 4,690 | | \$2,345,000.00 | |

Canada Veterans Affairs
Special Order, 1952

HOUSE OF COMMONS

Sixth Session—Twenty-first Parliament, 1952

SPECIAL COMMITTEE

ON

VETERANS AFFAIRS

Chairman: L. A. MUTCH, ESQ.

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 6

THURSDAY, JUNE 5, 1952

WITNESSES:

Mr. E. L. M. Burns, Deputy Minister; Mr. W. G. Gunn, Q.C., Director,
Legal Division, Department of Veterans Affairs, and
Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board.

**SPECIAL COMMITTEE
ON
VETERANS AFFAIRS**

Chairman: L. A. MUTCH, Esq.

| | | |
|-------------|---------------------------|-------------------------------|
| Balcom | George | MacDougall |
| Bennett | Gillis | MacLean (<i>Queen's</i>) |
| Blair | Green | McLean (<i>Huron-Perth</i>) |
| Brooks | Harkness | Mott |
| Carter | Henderson | Quelch |
| Corry | Herridge | Roberge |
| Croll | Hosking | Ross (<i>Souris</i>) |
| Cruickshank | Jutras | Thomas |
| Dickey | Langlois (<i>Gaspé</i>) | Tremblay |
| Dinsdale | Lennard | Weaver—31. |

R. J. GRATRIX,
Clerk of the Committee.

ORDERS OF REFERENCE

WEDNESDAY, June 4, 1952.

Ordered,—That the name of Mr. Jutras be substituted for that of Mr. Winkler on the said Committee.

Ordered,—That the name of Mr. George be substituted for that of Mr. Carroll on the said Committee.

Ordered,—That the name of Mr. McLean (*Huron-Perth*) be substituted for that of Mr. Applewhaite on the said Committee.

Attest.

LEON J. RAYMOND,
Clerk of the House.

MINUTES OF PROCEEDINGS

THURSDAY, June 5, 1952.

The Special Committee on Veterans Affairs met at 11 o'clock a.m. this day. Mr. Mutch, Chairman, presided.

Members present: Messrs. Bennett, Brooks, Carter, Corry, Croll, Cruickshank, Dickey, Dinsdale, George, Gillis, Green, Harkness, Hosking, Jutras, Langlois (*Gaspé*), Lennard, MacDougall, MacLean (*Queen's*), McLean (*Huron-Perth*), Mott, Roberge, Ross (*Souris*), Weaver.

In attendance: Mr. E. L. M. Burns, Deputy Minister, Mr. W. G. Gunn, Q.C., Director, Legal Division, and Mr. G. H. Parliament, Director General of Veterans Welfare Services, Department of Veterans Affairs; Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board.

The Committee resumed consideration of the motion of Mr. White and the proposed motion of Mr. Jutras in amendment thereto. (*See Minutes of Proceedings, No. 4, dated, Friday, May 23, 1952*)

After discussion and by leave of the Committee Mr. Jutras withdrew his proposed motion in amendment to the main motion.

And discussion still continuing;

Mr. Croll moved the following proposed motion in amendment to the main motion. That all the words after the word "That" to the end of the question be struck out, and the following words be substituted therefor:

the Committee recommends to the Government continued and sympathetic study of the needs and requirements of recipients of War Veterans Allowance keeping in mind the recommendations of the Veterans' Organizations in that respect and particularly with regard to permissive income.

And a point of order being raised by Mr. Green as to whether the said amendment was in order, the Chairman ruled the proposed amendment in order.

And the question being proposed;

Mr. Brooks moved that the amendment be amended by adding thereto the following words:

and give consideration to introducing legislation accordingly at the present Session.

After discussion the Chairman ruled the proposed amendment to the amendment out of order on the ground that it enlarges on the scope of the amendment and in support of his ruling referred to Citation 364, Beauchesne's 3rd Edition:

364. Since the purpose of a sub-amendment is to alter the amendment, it should not enlarge upon the scope of the amendment but it should deal with matters that are not covered by the amendment; if it is intended to bring up matters foreign to the amendment, the member should wait until the amendment is disposed of, and move a new amendment.

Thereupon Mr. Brooks appealed from the Chairman's ruling.

A recorded vote being requested and the question having been put on the Chairman's ruling; it was sustained on the following division:

Yeas: Messrs. Bennett, Carter, Corry, Croll, Dickey, George, Hosking, Jutras, Langlois (*Gaspé*), MacDougall, McLean (*Huron-Perth*), Mott, Roberge, Weaver.—14.

Nays: Messrs. Brooks, Dinsdale, Gillis, Green, Harkness, Lennard, MacLean (*Queens*), Ross (*Souris*).—8.

Mr. Cruickshank abstaining.

And the question again being proposed on the amendment to the main motion it was agreed to.

Thereupon the Committee resumed a clause by clause consideration of Bill No. 181, An Act respecting Allowances for War Veterans and their Dependents.

Messrs. Burns, Garneau and Gunn were called.

Mr. Gunn was questioned on Clauses 2 and 3 of the Bill.

Clause 2 was considered and adopted.

On Clause 3 (2):

Mr Brooks moved:

That the Committee recommend to the House that it is the opinion of the Committee that the Government should give consideration to increasing the amounts specified in Schedule A and payable under Clause 3, sub-clause 2, paragraphs (a) and (b).

After discussion the Chairman ruled the proposed motion out of order on the ground that it was substantially the same as Mr. White's motion; that motion having been amended and the said amendment passed by the Committee Mr. White's motion had, in effect, been negatived. In support of his ruling the Chairman quoted Citation 332, Beauchesne's 3rd Edition:

332. It is a rule in both Houses, which is essential to the due performance of their duties that no question or bill shall be offered that is substantially the same as one on which their judgment has already been expressed in the current session.

Thereupon Mr. Brooks appealed from the Chairman's ruling. A recorded vote being requested and the question having been put on the Chairman's ruling; it was sustained on the following division:

Yeas: Messrs. Bennett, Carter, Corry, Croll, Dickey, George, Hosking, Jutras, Langlois (*Gaspé*), MacDougall, McLean (*Huron-Perth*), Mott, Roberge, Weaver.—14.

Nays: Messrs. Brooks, Cruickshank, Dinsdale, Gillis, Green, Harkness, Lennard, Ross (*Souris*).—8.

At 5.50 o'clock p.m. the Committee adjourned to meet again at 4.00 o'clock p.m., Tuesday June 10, 1952.

R. J. GRATRIX,
Clerk of the Committee.

EVIDENCE

JUNE 5, 1952.
4:00 p.m.

The CHAIRMAN: Gentlemen, we have a quorum.

When the committee last sat with respect to bill 181, you will remember that we called the first item, and then there was a motion the effect of which is that we do not consider the bill but send it back to have it liberalized in the terms of the brief of the Canadian Legion. After discussion there was an amendment moved by Mr. Jutras to the effect that we should not resolve this motion at this time but rather defer it until such time as we dealt with the bill which this committee was instructed to deal with. The constitutionality of the amendment was questioned. After some discussion it was requested that I reserve my ruling until this meeting.

Mr. GREEN: Mr. Chairman, I would like to make a submission.

The CHAIRMAN: All right, Mr. Green.

Mr. GREEN: The motion moved by Mr. White was in these terms: that the committee recommend that the government give consideration to introducing legislation during the present session of parliament which will give effect to the representations submitted to the committee by the Legion and the National Council of Veterans that the rates and allowances and the maximum total incomes set out in the schedules to bill 181 should be increased. I think, in the event of the committee resolving it in the affirmative, it should be pointed out that this was a recommendation that the government give consideration to introducing legislation at the present session, and that the legislation would have to do with two of the submissions made by these veterans organizations; namely, the rates of allowances and the maximum total incomes—the latter being usually described as a ceiling. I submit, sir, that the motion does not say that our committee should not go on and consider this bill in the meantime. You have said, Mr. Chairman, in your opening remarks today that it did.

The CHAIRMAN: I said that that was the effect of it.

Mr. GREEN: But it does not do that. It was designed, of course, to place the question before the government; because, under our rules, it is impossible for anyone on this committee, whether a government member or not, to move an amendment that will increase an expenditure of public funds; so that the only step that can be taken if anyone wishes to have an increase made in the measure is to recommend that the government itself give consideration; and that is what this motion sought to do.

So much for the main motion. Then Mr. Jutras moved—as set out on page 83 of our proceedings—an amendment that the specific recommendations of the Canadian Legion and the National Council of Veterans Associations be considered when the relevant clauses of bill 181 were under discussion. Now, there will be no doubt at all, Mr. Chairman, that Mr. Jutras did not move, as you have suggested, that consideration of Mr. White's motion should be deferred; that is not a part of his motion; he simply moved that the specific recommendations of the Legion and the National Council of Veterans be considered when the relevant clauses of bill 181 were under discussion.

Now, I am going to suggest to you, Mr. Chairman, and this committee, that in fact these are two separate motions. In other words, if Mr. White's motion carries then there would be a report made back to the House asking the government to give consideration to the possibility of introducing legislation to

deal with the rates of allowance and the ceiling. Then we could also pass Mr. Jutras' motion which is that the committee consider the specific recommendations of the veterans organizations when the relevant clauses of bill 181 are under discussion. Mr. Jutras does not confine his amendment to the two points in the main motion, namely, the increase in allowances and the ceiling; he covers all the recommendations of the two bodies and he asks that those recommendations be considered when the pertinent sections of the bill are up for consideration, or being reviewed by the committee. I repeat that those two motions are distinctly separate; that both of them could be adopted without either one interfering with the other; that therefore Mr. Jutras' motion which is supposed to be and which has been described as an amendment is not an amendment to Mr. White's motion at all, it is a completely separate matter.

Mr. CROLL: May I ask a question here, just one question?

Mr. GREEN: Yes.

Mr. CROLL: Let us assume for a moment that we do not pass Mr. White's motion, then is there anything to stop him from bringing it on again, or from offering it again when a pertinent section comes up? Are we going to have to go through it three times or more today?

Mr. GREEN: Personally, Mr. White is not able to be here, he is ill.

Mr. CROLL: Yes, I know.

Mr. GREEN: I think a member of the committee could bring up an amendment of a similar type on a particular subject. I think that is correct.

Mr. CROLL: That is what I thought.

Mr. GREEN: Mr. White's motion was not a motion of that type; it is simply a general recommendation to the government that consideration should be given to the possibility of bringing in better veteran legislation. Now, the government could consider that. They may or may not do anything about it, but at least the committee would have recommended that the government give further consideration to the briefs of these two veterans organizations. And, as I said a moment ago, that does not stop us here from going on and discussing the bill section by section.

So that is my first submission, Mr. Chairman; that these are really two separate motions, and Mr. Jutras' motion does not constitute under our rules an amendment to Mr. White's motion. Incidentally, in that connection, I would point out that Mr. White's motion asked the government to give consideration; Mr. Jutras' motion asked the committee to give consideration so there are two separate objectives.

Then, the second ground on which I think Mr. Jutras' motion could not be, should not be accepted as an amendment to Mr. White's motion is that if Mr. Jutras' motion is passed—if his amendment is accepted by your Honour as an ordinary amendment and adopted, then there is nothing whatever left of Mr. White's motion; you would not have an amended motion by Mr. White. You would have no motion left at all. It is simply a contrary move, that is all; a motion which is completely contrary to Mr. White's motion, and as such it is a negative. And the way to deal with Mr. White's motion, if Mr. Jutras does not like it, is to vote against Mr. White's motion. But the amendment may not be accepted as an amendment because, as I say, it is a straight negative of the original motion.

On these two grounds, for these two reasons—and of course there may be others but those are the only two that I can put forward at the moment—for those two reasons I suggest Mr. Jutras' motion should be declared not to be an amendment to Mr. White's motion and therefore out of order.

Mr. JUTRAS: Mr. Chairman, I do not propose to go through all the argument that we had the last time on this matter. It is purely a matter of procedure,

and I for one trust that we are not going to waste the whole day discussing this point of procedure; therefore, in order to facilitate matters, I will withdraw my amendment.

Mr. CROLL: Mr. Chairman, Mr. Jutras withdraws his amendment.

The CHAIRMAN: With the consent of the committee?

Agreed.

Mr. CROLL: Then, Mr. Chairman, I have an amendment to offer. I thought you would rule Mr. Jutras out of order.

The CHAIRMAN: I will tell you afterwards what I would have done.

Mr. GREEN: If it is a new one—

Mr. CROLL: I move after the word "that". "The committee recommends to the government continued and sympathetic study of the needs and requirements of recipients of war veterans allowance keeping in mind the recommendations of the veteran organizations in that respect and particularly with regard to permissive income." I would point out to the committee that the great difference between the resolution and my amendment are the words, "at the present session of parliament," which I left out. I have also asked for continued and sympathetic study in my amendment rather than using the harsh terms in the resolution.

Let me just say this. I think somebody in the committee—and if I am not mistaken it was Mr. Quelch—who said that the Act is an improvement, a definite improvement over the last Act. This matter has been given a great deal of consideration by the minister, by the cabinet and by the departmental officials, and they came up with Bill 181. At the present time it is quite generally known that we are driving to close, and perhaps that is uppermost in our minds; it cannot, of course, interfere with our sympathetic and understanding consideration of the War Veterans Allowance which is much more important and which will justify our sitting longer in order to see that justice was done. But there are two things; the increase in the allowance and the ceiling. They need some further study. I think mine is the better approach; I say that to the committee for this reason: the approach which I am now suggesting is the type of approach that we have used on other occasions and through which this committee has obtained the very best results. Those of us who have been on the committee for some years will recall that was the method that we used in other instances. We dealt with the matter before us in a business-like manner, and then we passed it on to the government for further sympathetic consideration; the first year after the 1945 committee sat they gave our recommendations further study with the result that what we recommended and planned for the veterans has been commended by all sides of the House. I want to make it very clear that in offering this amendment there is no intention to slam the door or no indication to oppose what the legion has suggested or what the service organizations have suggested. All we are asking for is that the matter be kept before the government, that it be not hurried at this present session of parliament, and that we do not take any steps which may in the light of circumstances be precipitous. I am suggesting to the members of this committee that we support the amendment, which in my opinion will bring the result that the veteran members of this committee desire.

The CHAIRMAN: Gentlemen, we have accepted the withdrawal of Mr. Jutras' amendment. I think perhaps I should say that had he not withdrawn the motion, upon mature reflection, I would have ruled it out on the first ground which Mr. Green suggested as I had decided they were parallel rather than amending resolutions. I must confess that I found a weakness in the second part of his argument, he did not convince me as to the point he sought

to raise. I think I should say with respect to Mr. White's resolution that the worst feature I see in it is the time element. We have been instructed by the House to deal with certain legislation and we have customarily dealt with our legislation and then have made our recommendations to the government itself, and it seems to me that the motion introduced by Mr. White was primarily designed to block consideration of the legislation before us until such time as the resolution had been resolved; and, under those circumstances I felt that the effect would have been negative. I am not ascribing any such motive to Mr. White, but I thought that was the effect of the motion, that we would, in effect, send it back without looking at it, which is not what we want. The motion by Mr. Croll clears the position; and while I still think that both in the motion by Mr. White, and the amendment by Mr. Croll, we are putting the cart before the horse. I said on my own responsibility and my own responsibility only, that I see no reason why this committee, having dealt with the matters which have been sent to us to deal with, should not resolve itself in a recommendation of a reasonable nature such as the request in the motion as amended; and I suggest to you that we consider getting this out of the way and proceed with the bill. When we examine the possibilities of this, if one accepts the interpretation which Mr. Green put on the motion just now and to which Mr. Jutras indicated his acquiescence by withdrawing his motion; certainly Mr. Croll's motion as far as I can see, merely amends the terms under which the committee is prepared to resolve the motion; and if the committee wants to deal with this recommendation before it makes a study of the bill, I am quite prepared to let them do so; but, as I pointed out earlier, it is a bit unusual.

Mr. GILLIS: Mr. Chairman, I want to say that Mr. Green has changed my opinion of the motion. My interpretation of the motion when it was first made was pretty much the same as yours, namely, that the bill itself was not adequate and that we were not going to lose any time on it, but refer it back to the government to be brought in line in order to conform with the Legion's position. I would have supported it on that basis; but after listening to Mr. Green's explanation, I do not think it needs anything because, with all due respect, we have certain definite legislation sent to us to examine and to decide upon, and we automatically would be getting the effect of Mr. Jutras' motion as we would come to the different clauses in the bill. Therefore I do not think that now is the time to make recommendations. We generally sum up the legislation when we finish and when we make a further report to the House recommending continuous study and so on.

I cannot see either Mr. Green's or Mr. Croll's amendment as meaning anything. They are merely gestures for the record. Let us go on with the legislation as it is now. Someone will be studying the proposals made by the amendment and the motion later on. But I do not think now is the time to do that. Unless the motion definitely said: "This legislation is not what it should be and we want it referred back."

If we are going to consider the bill on its merits, then I am prepared to do that; and after we have done that, whatever is left by way of an amendment to the War Veterans' Allowance, if the committee thinks it necessary, then we should do it in the regular way and make our report based upon the inadequacy of the present legislation, and send it to the government for them to consider at some other time. I cannot see that an amendment of the motion would mean anything at the present time. It is something merely for the record. And as far as I am concerned, I am prepared to go ahead with it on that basis. Therefore, let us go ahead with the legislation.

Mr. CROLL: If it would help any at all, Mr. Chairman, I am prepared to let my amendment stand until after we have finished the bill. I am not urging

it; but if the mover or someone on his behalf is prepared to let the motion stand until after the bill is finished, then I am prepared to let my amendment stand.

Mr. BROOKS: I think that we ought to deal with it now, Mr. Chairman, and get on with the rest of the bill. I do not altogether agree with Mr. Gillis that Mr. Green's motion does not mean anything, but I certainly agree that the amendment does not.

The CHAIRMAN: In that case, may I suggest that we do not spend too much time on it.

Mr. BROOKS: The committee recommends to the government a continued study of the needs and requirements of the recipients of War Veterans' Allowance. That is what we are here for, and that is what our committee has been called for, namely, to study; and as far as the bill is concerned, we have had this bill in our hands and every member must have already read it over and knows exactly what is in the bill, every section of it. We know the weak points of the bill or what we consider to be the weak points; and it has been stated by different veterans' organizations that they have given it very careful study. Therefore, why should we postpone consideration of the weak points—and that is what Mr. Croll's amendment would mean—postponement to probably another session or another two sessions, or whenever it is decided to have another veterans' committee.

I recall when the minister was speaking at the opening session of the committee he said that we will have the views of the organized veterans' bodies; that is, we would have these men come before us who have studied this bill, and who have pointed out its shortcomings; and on the strength of their studies they would make certain recommendations to this committee. Frankly I do not think that we should be here simply as a rubber stamp for endorsing and passing this bill which comes to us from the government. If we are, then there is no advantage in having a veterans' committee at all.

Our duty is to listen to the different representations which are placed before us, and if the representations are not acceptable, then of course, it is our duty not to accept them. But if we feel, on the other hand, that the representations asked for in the matter of rates and also in the matter of the ceiling—if these views are sound, why then I think we as a committee should take into consideration the views of these organizations as well as our own views on the matter.

I agree that since this bill is not acceptable apparently to the different organizations—and in my opinion it should not be acceptable to the members of this committee—I think that it is our duty, Mr. Chairman, to send this bill back to the House, knowing these views and knowing the weaknesses in the bill, and to ask the government to reconsider it.

Mr. GILLIS: That is just what the motion says. You had better get together on it.

Mr. JUTRAS: Coming back to the original explanation.

The CHAIRMAN: Order, please.

Mr. BROOKS: The order says: "To give effect to the representations submitted to the committee by the Legion and National Council of Veterans that the rates of allowance and the maximum total incomes set out in the schedules to Bill 181 should be increased."

Mr. GILLIS: Yes, but it does not say to refer the bill back.

Mr. BROOKS: We are asking for further recommendations and in view of that, Mr. Chairman, I would like to move a sub-amendment to Mr. Croll's amendment, and my sub-amendment reads as follows:

The committee recommends to the government continued and sympathetic study of the needs and requirements of recipients of War

Veterans' Allowance, keeping in mind the recommendations of the veterans' organizations in that respect and particularly with regard to permissive income—which I consider weakens it, but I will leave it there; and this is my sub-amendment—and give consideration to introducing legislation accordingly at the present session of parliament.

Mr. CROLL: Mr. Chairman, that is not a proper sub-amendment; there is nothing there which is not in the original motion. He is merely repeating the motion.

Mr. JUTRAS: He is just repeating the main motion, Mr. Chairman.

The CHAIRMAN: Mr. Brooks has almost succeeded in arguing Mr. Green and me out of court; but to give consideration to introducing legislation accordingly at the present session, in view of the present stage of the session, whether it is regular or not, it is certainly only a pious wish.

Mr. CROLL: The words "at the present session" are used in the original motion. He has not added anything to it. It is not a proper sub-amendment. "During the present session of parliament"—he has just put that in the sub-amendment for the purpose of confusing the vote.

Mr. GREEN: Mr. Chairman, on Mr. Croll's point, his amendment—

Mr. CROLL: I make it a point of order, Mr. Chairman.

The CHAIRMAN: Mr. Green is speaking to a point of order.

Mr. GREEN: As to Mr. Croll's amendment, while it does not say so, I understood him to say verbally that he would strike out all the words in Mr. White's motion after the word "that". So that all that would be left of Mr. White's motion would be: "Mr. White moves that the committee recommend that"; and Mr. Croll adds the words.

The CHAIRMAN: If you want the amendment, I will lend you my copy.

Mr. GREEN: Mr. Croll tacks on the amendment: "The committee recommend to the government continued and sympathetic study of the needs and requirements of recipients of War Veterans' Allowance, keeping in mind the recommendations of the veterans' organizations in that respect and particularly with regard to permissive income."

Now, Mr. Brooks' motion simply tacks on to that a sub-amendment to the effect that the government give consideration now. In other words, that we recommend that the government give consideration to introducing legislation accordingly at the present session of parliament. Now, the difference, of course, between Mr. Croll's motion and the sub-amendment is that the latter asks that the government try to bring in legislation at this present session. I do not see any reason why the committee should not agree on that suggestion, I mean, with Mr. Croll's amendment and with this sub-amendment because I believe that the two of them taken together, will represent the wishes of everybody on this committee.

We have had experience over many years with legislation for the veterans and we all know that there had to be recommendations made and a certain amount of pressure brought before improvements were made in legislation. It is just human nature that that should be required. The government brings in an original proposal and if we are not satisfied with it, the members on the government side may not be satisfied with it.

The CHAIRMAN: May I interject. This is a thing which I find absurd in this whole discussion. We say that we are not satisfied with it, and some of our friends on the other side of the table said the same thing the other day. But the unique fact is that we have not considered it yet. It is a convention of parliamentary procedure that before people express opinions on something they at least discuss it, yet we have not discussed the bills. In

this debate I am inclined to intervene on the ground that the discussion is resolving itself into a competition for the expression of good will, and I think it is becoming absurd.

Mr. GREEN: I do not think it is a matter of trying to get good will, Mr. Chairman. Those of us who have been here a great many years have either got the good will of the veterans or we have not.

The CHAIRMAN: I am not attempting to divert the committee from expressing their interest in good will towards the veterans generally, but rather in their expressing it to the government. There is no conflict in it.

Mr. GREEN: I suggest to the members that we are all anxious to see an attempt made to get the amount of the allowances increased further and to get the ceiling raised. I do not think there is one member of this committee who would not be in favour of a step of that kind being taken. The only way this committee can express their full action is by sending a recommendation back to the House. Here is Mr. Croll's amendment and Mr. Brooks' sub-amendment, which would mean that a recommendation would go back to the House asking the government to give further consideration to increases and raising the ceiling, and that they try to bring in further legislation at this present session. The only issue between Mr. Croll and Mr. Brooks is whether or not we are going to ask that that be attempted at the present session. I suggest that there is still ample time for a decision to be made on that point by the government. As a matter of fact, I would not be a bit surprised if the very fact of this amendment coming from Mr. Croll does not indicate that he at least is hopeful that the government will increase the amount of permissive income. We are not children. We have been at this game for a long time, and I suggest that we put through a unanimous resolution asking the government to give further consideration to the amount of the allowances, and of the permissive income, and that they give that consideration at the present session.

If we can agree on that, then the committee will have shown its wishes in the matter, and further action would be up to the government; and if the government are unwilling to make a move at this session, that is their responsibility; but at least we will have done our job as members of this Veterans Affairs committee.

Mr. MACDOUGALL: I think everybody will recall a statement I made with respect to the advances which have been brought about in veterans' legislation with respect to a comparison between the first world war and the results at the termination and since the conclusion of the second world war. Now, Mr. Green has of course made reference to his being a long time veteran on this committee. He has also expressed the fact that he thinks that every member would be in agreement with his suggestion of forcing a shotgun wedding between the hon. member on his right and David Croll, and bringing it in at the present session of the house.

(At this point Mr. Croll took the chair).

Mr. MACDOUGALL: I see that the hon. member for Spadina has been promoted. I would like to say that certainly I am in favour of doing anything and everything that we possibly can with respect to our veterans allowance; but then again on the other hand you have to consider that we have constantly maintained a progressive attitude in this regard, ever since the culmination of the first world war. We are in a different area; we are in a different age; we are even in a different area than we were in at the culmination of the second world war; and for anybody in this committee to get up, as I think was suggested by someone at a previous meeting—I cannot remember his name—but I think he said that there could be nothing more done for the veterans' organizations, that is, to better the legislation which is now on the books, or to

better potential legislation. I think that was a very rash and extreme statement to make because history does not bear it out. History bears out quite the reverse, that where the basis has been found, and where the need has been felt and has been supported by the veterans' organizations and by the veterans affairs committee, that means are eventually brought about, or a settlement is made to satisfy that need.

Now, we have a bill before us, Bill 181. It is true that it is not everything I would like to see by any manner or means, but at least it is a step forward and I do not think that the step forward in this bill is of minimum consideration. If we take and practically tear the thing up and get into a dog fight in the House of Commons, we might come to the end of the session with no bill at all. That could quite easily happen.

I suggest to the honourable members of this Veterans Affairs Committee, disregarding the marriage of the Hon. Mr. Brooks and the honourable member for Spadina that the thing for us to do is to settle this procedural situation now; let us settle it now, and, having settled it one way or the other, we can go forward and advance to consummation of the advances contained in Bill 181.

(Mr. Mutch again in the chair).

The CHAIRMAN: I want to remind the committee that we are on a point of order at the moment, and that we are debating the amendment to the amendment which has been moved by Mr. Brooks and challenged by Mr. Croll. Unless anyone in the committee wants to argue on the validity of the sub-amendment, I am prepared to rule on that, and then, I hope, press forward to a resolution of this. I point out again to the committee that we have spent 45 minutes on trying to agree to do what is pretty obviously in the minds of everyone in the committee.

Does anyone else wish to speak as to whether or not the sub-amendment is in order?

Mr. JUTRAS: That is the very point I was going to raise, Mr. Chairman.

The CHAIRMAN: It seems to me that the amendment of Mr. Croll to the motion of Mr. White is, as I have ruled already, clearly in order, and to add to that by re-introducing the words, "and give consideration to introducing legislation accordingly at the present session" certainly enlarges the scope of the motion in one sense in that it not only recommends introducing legislation, but it limits the period of continued and sympathetic study by demanding something which was not in the amendment, and consequently in my view it could only be advanced as an amendment in itself if the previous amendment were to be defeated. I have read citation 364 of Beauchesne's 3rd edition and don't think it is a proper amendment to an amendment, but I think under certain circumstances it may be an amendment in itself, and consequently for that reason, I rule the sub-amendment out of order, and the question is on the amendment to the main motion.

Mr. BROOKS: Mr. Chairman, I feel I should appeal your ruling?

The CHAIRMAN: All right. Those in favour?

Mr. CRUICKSHANK: Might we have the sub-amendment again, Mr. Chairman?

The CHAIRMAN: The sub-amendment is on Mr. Croll's amendment to the main motion, which reads:

The committee recommends to the government continued and sympathetic study of the needs and requirements of recipients of War Veterans Allowance keeping in mind the recommendations of the Veterans' Organizations in that respect and particularly with regard to permissive income, to which Mr. Brooks moves in amendment, "and give consideration to introducing legislation accordingly at the present session".

The question is on the ruling of the chair.

Mr. HARKNESS: Could we have a polled vote?

The CHAIRMAN: All right. I might say this is an historic occasion as hitherto it has not been possible to challenge the ruling of the chair, until last session.

Those in favour of sustaining the chair say "yea" and those to the contrary say "nay".

(A polled vote was then taken.)

Mr. CRUICKSHANK: Mr. Chairman, I presume I am entitled to put on record, as they do at the External Affairs Committee, that I think it is utter nonsense, and I am abstaining from voting.

The CHAIRMAN: I declare the chairman's ruling sustained fourteen to eight.

The question, then, is on the amendment of Mr. Croll.

Mr. HOSKINS: Mr. Chairman, I would like to speak on the amendment of Mr. Croll before the vote is taken, and I would like to say this, that I, along with all members of this committee, feel that Bill 181 is an improvement in that it will be beneficial to the veterans. I, along with all members of this committee feel that the bill might have gone a little further than it did go, and I would like to make this point: That any recommendations that we make to the House must be such that they will be considered by the House, or they will be valueless, and I think that this bill and the degrees of generosity in it have been greatly controlled by the attitude taken by the members of the opposition with regard to government spending of money. They have pressed at all times that the government is spending far too much money in all cases of government, except possibly National Defence.

Mr. BROOKS: And Veterans Affairs.

Mr. HOSKINS: At no time during criticisms of the government has there been any exception made in respect of Veterans Affairs, so the opinion of the government must be that a certain degree of economy must be exercised in this bill, and since at this session it has been dwelt on to great length that we must not spend more money, it would not be advantageous to the veterans or to the feeling of responsibility of this committee to send back anything to the House at this session which would naturally be, in view of previous remarks made, already defeated, and I think leaving it over to the next session, where there might be a different attitude towards the government spending money for the veterans, would be a very good thing.

The CHAIRMAN: We have already discussed that.

Mr. HOSKINS: Well, the original motion.

The CHAIRMAN: Oh, I see, you are now on the amendment; I am sorry. Well, I think we should stick to the amendment.

Mr. HOSKINS: My point is, next session when we come in afresh and do not have the government criticized for spending money on Veterans Affairs, that we might get more consideration.

Mr. CRUICKSHANK: Mr. Chairman, I have taken no part, I think you will agree, in the discussion of this committee so far. I entirely disagree with the previous speaker, but I don't care about any criticism at all about expenditure. Let us get on with this. Are we going to try to help the veterans, or are those on that side—certain members on either side going to play straight politics? I would like to make a speech for the next election on behalf of Cruickshank too, but that is utter nonsense. The remarks of the previous speakers are very much along the lines of sales talks. I am not interested at all in any criticism concerning over-expenditure, but I am very interested in, as Mr. Gillis said, how we can best help the veterans at the present time.

Mr. HOSKINS: That was my argument.

Mr. CRUICKSHANK: In passing the present bill I don't think it goes far enough, I know it does not go far enough. I know it does not go as far as the people of Canada want it to go, and particularly in my own riding we are willing to pay the taxes to see the veterans and their dependents are properly cared for.

We are not worried about teapots and silver spoons. I never heard of a teapot in the first war. At the last session, concerning the employability scheme, I didn't approve of it, but I didn't want the responsibility of depriving those who could gain by that supplement, though I thought it wasn't going in the right direction or going far enough, but at the same time I wasn't going to accept responsibility of depriving those who could benefit from it. I want to make it perfectly clear that I am sorry I had to vote against Mr. White and Mr. Brooks' sub-amendment, because I believe half a vote is better than none. It does not go as far as it should, and I think it is creating a hardship on the very people we should be trying to help, and I do not think it is to the government's credit that they brought in this bill as it is, but, as Mr. Gillis said, we have got this bill; let us give it to the boys now, and then to the best of our ability try to get them something more. I do know we sat in this very room when we had the minister from the province of British Columbia known as Ian MacKenzie and we sent it back a few times and eventually got action. The Manitoba members apparently want to talk and talk in this committee apparently to get on the record for obvious reasons. I am going to vote for the bill in spite of what I said, because I believe that half a vote is better than none, and I think you should call the vote. We had one committee meeting upstairs, and for two months we had charts, which Dr. Blair, if he is here, will remember; charts all over the wall that nobody understood including those who were trying to explain them. For a month we had that until Mr. Herridge at my suggestion moved a motion and I seconded it. Let us have a vote.

Mr. HARKNESS: Mr. Chairman, I think that Mr. Cruickshank won't regard me as one who has been taking too much time in view of the fact this is the first time I have spoken in this committee this year. I would like to say this, that if Mr. Croll's amendment were a motion standing by itself I would be quite happy to support it. It, practically speaking, amounts to a pious hope that the government will give favourable consideration to Veterans Affairs in the future. Well, I would hope they would do that in any event, and I would find nothing I could not support in it. However, it is not a motion standing by itself. It is an amendment to Mr. White's motion, and does prevent an expression on the part of this committee to the effect that consideration shall be given by the government at this session to further increases than the ones provided for in the bill before us now.

In view of that fact I feel I will have to vote against it. If the thing stood by itself as a pious expression of what might happen at some time in the future, I don't think anybody in this committee would be opposed to it, but its only effect is to prevent an expression by this committee that the government should take action at this session to put in further increases, and as such I think it is something that this committee should oppose.

Mr. Ross: Mr. Chairman, I should like to explain my position in voting against the sub-amendment, because when these lawyers get through with sub-amendments, and the like, they become rather confusing to many of we laymen.

The CHAIRMAN: Including the chairman.

Mr. Ross: That could be. However, this is one example right here where it is felt rather strongly that we should vote against this sub-amendment of

Mr. Croll's or "the pious hopes for the future", and so on, but my own expression is that we do want to do all we can for the veterans, and I am entirely dissatisfied with the rates set forth in this bill and with the ceiling on permissive income.

If we don't try to have that rectified now, then I think I, as a member of this committee, am failing in my duty. As has been pointed out, this sub-amendment does nullify and kill Mr. White's motion, which is what the veterans' organizations had before them, and I am quite sure they had studied this and had a lot of good available information. I agree with this request that the basic rate should be higher than that provided in the bill, and I have had personal experience of many comrades receiving war veterans allowance who should definitely be permitted to earn over and above what the allowance provides for. I feel very keenly about it. For this reason I hope I am not misunderstood in voting against Mr. Croll's sub-amendment, which would nullify and kill Mr. White's motion for taking action in this session.

The CHAIRMAN: The question is on Mr. Croll's amendment. Those in favour of the amendment say "aye". Those opposed say "nay".

In my opinion the ayes have it.

That disposes of the motion, and we are back again on clause 2 of Bill 181: "Interpretation" which is the clause which deals with definitions. Shall clause 2 carry?

Mr. HARKNESS: Just one point, Mr. Chairman: What is the difference between an adopted child and a foster child? I don't know what the difference is.

The CHAIRMAN: Well, I don't have to guess at that because I have the counsel for the department here, and I will ask him.

Mr. GUNN (Counsel for the Department of Veterans Affairs): I did not hear the question.

The CHAIRMAN: It is, "What is the difference between a foster child and an adopted child?"

Mr. HARKNESS: It is in 3(c).

Mr. GUNN: I think, as a matter of fact, there is not a great deal of difference, although an adoption may take some formality, and actually does in certain provinces—I think perhaps in most provinces. However, a child may be brought into a home without that particular kind of formality, and some people might argue that he is adopted in a sense, and perhaps he is, but there is no doubt about him being fostered under those conditions until some formal adoption measure takes place.

Mr. MACDOUGALL: Mr. Chairman, along the same line as Mr. Harkness' question, is there any explanation with respect to a child born out of wedlock?

The CHAIRMAN: I am sorry, I didn't hear?

Mr. MACDOUGALL: Is there any consideration for a child born out of wedlock?

Mr. GUNN: The problem of illegitimate children, Mr. Chairman, I think can be said to be of two kinds; that is, that they are legitimized by some provincial legislation of this kind here or they are not. I think most of the provinces have provincial laws that legitimize the children in certain circumstances. On the other hand, there may be children who are illegitimate and whom you cannot legitimize in that way. They are still illegitimate, but they can be fostered or adopted as circumstances may require at the time.

Mr. GREEN: Well, what about this definition of child as it is now, is it not wide enough to include any child that a veteran is treating as his own child?

Mr. GUNN: I would think so.

Mr. GREEN: In other words, it might be wide enough to cover the illegitimate child, and I think quite rightly too.

Mr. CROLL: The door is wide open on the foster part of it.

Mr. GUNN: The door is wide open, as Mr. Croll says. As I see the answer there the door is wide open. The veteran can take in almost any child whether it may or may not be an illegitimate child of his own.

The CHAIRMAN: Or his wife.

Mr. GUNN: Or of his wife, it could be any child.

Mr. MACDOUGALL: That is O.K.

Mr. GUNN: I think the definition is sufficiently wide to cover almost any kind of a child that we can think of.

Mr. GREEN: In fact the decision can be made by the board.

Mr. GUNN: Yes.

The CHAIRMAN: And in fact they are.

Mr. BROOKS: The child must be living in the home of the father and the mother, that is an illegitimate child; but if the child is living outside, there is no consideration at all.

The CHAIRMAN: Shall the section carry?

Mr. GREEN: There is another question I would like to ask.

The CHAIRMAN: All right.

Mr. GREEN: Why can you not have—

The CHAIRMAN: I find it hard to hear.

Mr. GREEN: Why do you not have a full definition of veteran included in this section 2, instead of referring it to another long section in the back of the bill, section 30, which describes a veteran. I cannot understand why that change has been made. In the Act as it stands at the present time the definition is in the beginning of the Act—that is usual in all statutes—here we have to look for the definition which really matters away in the back of the bill.

The CHAIRMAN: Mr. Gunn, would you like to reply to that? The committee will realize that an attempt has been made in this bill to tidy up the old Act, consolidated in the form of an amendment and it contains all that was in the old Act. Can you give us an indication why in the drafting of this bill the definition has been left open in this way?

Mr. GUNN: Mr. Chairman, as I have attempted to explain, the explanatory note number two, this particular paragraph (k) was designed to give some general idea, just a general idea, to the person who looked at the Act in the first instance as to what kind of veterans are covered, what kind of people it dealt with. Instead of having it as in the old Act and as might have been in this Act, you now turn to the page containing the definitions and you find out on your first inquiry what the Act deals with basically; in other words, definitions of three or four different kinds, and then it leaves it to the Act further on to deal with it in more detail. Then if he has a particular case to be dealt with he will turn to this section 30. Now I might say that in the consolidation of this Act we attempted to follow the accepted practice in legislative revision. It is true, as Mr. Green has mentioned, that very often we find definitions in the first part of the Act; except perhaps where the definition is lengthy, and that is the case here. When we get on to consider the details we will find so many different kinds that—over in the end of the Act—all I can say now is that in the opening pages of the Act we have the short definition and then in the latter part of the Act you find out what it is all about.

The CHAIRMAN: Mr. Gillis.

Mr. GILLIS: Mr. Chairman, I am more interested in what is not in these Acts than what is in them. The Legion made a specific recommendation for the qualification of a veteran who saw service in England. The definition as it now

stands includes as veteran, a veteran of the South African war, a Canadian veteran of World War I and World War II—as being entitled to the war veterans allowance. The war veteran who saw service in England in the last war is entitled to the allowance. The war veteran who saw service in England in the first war is not entitled to the allowance. I would like to see added to this section here another qualification of veterans of World War I who saw service in England, that they be treated the same as veterans in World War II since they served in exactly the same way as the veterans in World War I.

The CHAIRMAN: As a matter of fact, I would like to point out with respect to what you are speaking about at the present time, that it cannot be done by definition; you would have to wait until we come to the amendment to section 30, which is the section dealing with entitlement.

Mr. GILLIS: We mention here the classes of veterans and there appears to be a distinction made with respect to service in England as between the veterans of World War I and the veterans of World War II, they are treated differently.

The CHAIRMAN: I beg your pardon.

Mr. HARKNESS: Subsection (i) defines war; it means the South African war, World War I or World War II. Then you come to (k) and veteran means any former member of the North West Field Force and any of the following persons, more particularly described in section 30, namely, (i) a veteran of the South African War, etc.—with certain limitations, and when you get back to section 30 there is another section dealing with people who served in the 3 wars, where they are covered, but as far as I can see Veterans of the North West Rebellion are not included except in the definition section (k). And now, the point that I had in mind particularly was whether the definition of “war” which does not include the North West Rebellion would mean, as far as any other section was concerned—we may reach it later—that the North West Rebellion Veteran would not be covered. I would think that is rather a legal point.

The CHAIRMAN: All right, we will ask Mr. Gunn to explain that.

Mr. GUNN: In reply to that, Mr. Chairman, I would say that the question of the North West Field Force has been deliberately adopted to take care of the veterans of the rebellion to which Mr. Harkness refers. In the last few years that has become the accepted terminology for that particular force, within the last few years in the Department of Justice, for example, wherever it should be necessary. I do not know of any particular other section at the moment in which the North West Rebellion people have been dealt with, but this certainly is intended to cover those who served with that field force.

The CHAIRMAN: And it does cover them.

Mr. GUNN: Who served in those operations.

The CHAIRMAN: You say that it is intended and does cover them.

Mr. GUNN: Yes.

Mr. BROOKS: Korean veterans are not included in here because they are dealt with by order in council?

Mr. GUNN: They are dealt with in section 30, the more extended section.

The CHAIRMAN: That is covered in (k) (vi) Canadian forces veterans.

Mr. HARKNESS: The particular point I raised was that it does not include the veteran of the North West Rebellion. It does not in any way affect the status of a veteran of the North West Rebellion?

The CHAIRMAN: They are covered. They are still in. Shall the section carry?

Carried.

Section 3. Now, you will note in the bill before you that that is an allowance payable to any male veteran who has attained the age of 65 years, etc. At the time the minister made his announcement in the House that change was accepted with the suggestions being made to them on all sides of the House. We have not the power to amend that legislation here, but when you are considering the clause you read sixty for sixty-five, because as soon as we get back to the committee of the whole which will be the first opportunity there will be to amend the Act we will amend it. I give you my undertaking that the amendment will be moved restoring that to sixty years. On that basis we can consider the allowance to the veterans and others covered in this clause 3.

MR. BROOKS: Are we on clause 3 now, Mr. Chairman? Now, with respect to subsections (a) and (b), since the motion of Mr. White was voted down, and as suggested by Mr. Gillis, I think that since we are dealing with this section it would be the time for us to make our recommendation; so I would like to recommend with reference to paragraph 3, sections 2(a), and (b), that 2(a) read as follows: (a) the monthly rates specified for such veteran, widow or orphan in column II of schedule A—schedule A if you would like to read that, it is on the last page of the bill—provides for the total income. If we wait to make our recommendations until we get to schedule A we will pass section 3 and I imagine we would be placed in the position then that we could not make any recommendation; so I would like to move, Mr. Chairman, that with regard to subsections 2(a) and (b) of section 3—

MR. HARKNESS: Section 3, subsections 2(a) and (b).

MR. MACDOUGALL: I cannot hear what you said. Did you say that this act would be dealt with again in the House? Have you given your word that this section would be dealt with at that time?

MR. BROOKS: No, no, that is not my point.

The CHAIRMAN: This is a different matter.

MR. CROLL: He is moving now to raise the rates.

MR. BROOKS: This has to do with the rates and ceilings. I would move that the committee recommend that in the opinion of the committee the government should give consideration to increasing the amounts specified in column 2, schedule A; and in column 3, schedule A.

MR. CRUICKSHANK: Mr. Chairman, I would like to ask on a point of information, are you recommending any revision of that section? Can we consider that at this time in our deliberation? I am quite in accord with what you have said, Mr. Brooks, but I want to know whether we should deal with that now or later.

The CHAIRMAN: Well, Mr. Cruickshank, we have already dealt with that recommendation this afternoon. The committee will remember that a few moments ago we had a motion in the form of an amendment, by Mr. Jutras, that we consider these items, the recommendations of the veterans organizations, as we came to the pertinent clauses of the bill. After discussion that amendment was withdrawn by Mr. Jutras. He had introduced it, as he said, with a view to dealing with these matters as we came to the Evant clause in the bill. However, that was withdrawn and the committee carried a resolution of Mr. Croll's which was passed as an amendment to a motion by Mr. White; but I would remind the committee that the committee agreed to recommend to the government continued and sympathetic study of the needs and requirements of recipients of war veterans allowance keeping in mind the recommendations of the veterans organizations in that respect and particularly with regard to permissive income. If I understand Mr. Brooks' motion

correctly it is a recommendation that we should recommend a change in the schedules which would correspond to the recommendation which was made by the Canadian Legion in their brief. Is that correct?

Mr. BROOKS: I did not mention the Canadian Legion at all.

The CHAIRMAN: No, but in effect that is what it is.

Mr. BROOKS: Not necessarily.

The CHAIRMAN: The committee having resolved itself on that resolution I have to take it into consideration. Secondly, I think I would object to it on the ground that such a motion should be introduced when we are dealing with the schedule itself, because in accordance with past practice that has to be carried separately from the others. However, before I make a decision, I might point out with respect to the question that I think the answer is whether or not the committee is bound by that old rule of parliament which reads: "a question being once made and carried in the affirmative or negative, cannot be questioned again but must stand as the judgment of the House. And I would like to say this, before anyone speaks to it, that that is exactly what we did when we passed the recommendation to the House earlier this afternoon.

Mr. CRUICKSHANK: Mr. Chairman, if I might follow up my question. As I understood the motion and the amendment, or the sub-amendment it was that it be referred back to the House for a further order or reference. Surely, we as a committee are entitled in the course of our deliberations to make recommendations. In every committee of Veterans Affairs I have sat on we have done that. I remember that we did that in the committee before; we all know that no member of a committee can move the expenditure of public funds; but we have the right, as I understand it—have we the right in this committee to recommend that an amount be increased. Surely we have that right, have we not?

The CHAIRMAN: Well, Mr. Cruickshank, I cannot give a ruling on a hypothetical question. There is nothing which we have done today, which prevents this committee from making any recommendation it may choose in its final report. There is no doubt we will have to take these recommendations when they come, and if a recommendation is put forward which transgresses something which we have done in the interval I will be forced to decide whether or not that particular recommendation is in order; but we are not consciously or deliberately doing anything in the enactment here in the nature of limiting—I do not think any member of this committee has made any attempt to limit the final recommendations of the committee.

Mr. GREEN: Mr. Chairman, on a point of order?

The CHAIRMAN: Yes.

Mr. GREEN: The resolution which has been passed by the committee is a recommendation that the government give consideration to certain facts. Now, surely, that should not be interpreted as preventing any specific recommendation with regard to this bill. I do not think there is any rule in any order book that will say that because you pass a general recommendation asking the government to give consideration, then you cannot make a recommendation on specific sections. And I would point out that in the committee a year ago I made a motion—

The CHAIRMAN: Where?

Mr. GREEN: I am referring now to page 270 of the proceedings on June 7 of 1951. I moved, with regard to the Pension Act. The report reads: "On motion of Mr. Green it was agreed that the committee recommend that the government give consideration to the advisability of introducing amendments to clauses 7, 9, 11 and 18 to advance the date line of May 1, 1950, wherever it

appears in these clauses to May 1, 1951". Then Mr. Jutras made a similar motion immediately after which was reported in these words: "On motion of Mr. Jutras, it was agreed that the committee recommend that the government give consideration to amending subsection 4 of section 29 of the Pension Act by deleting the words 'or two' in line 3 thereof". Both of those motions carried, and when the bill was reported back to the House it was reported back with these two distinct recommendations concerning that bill. The report of the committee will be found on page 320, it reads: "Your committee has considered bill number 288, an Act to amend the Pension Act and to change the title thereof, and has agreed to report it with amendments". Then there follows this:

Your committee recommends that the government consider the advisability of introducing amendments to clauses 7, 9, 11 and 18 of the said bill number 288 to advance the date line of May 1, 1950 wherever it appears in these clauses, to May 1, 1951.

And:

Your committee also recommends that the government give consideration to further amending the said bill number 288 by the addition of a clause amending subsection four of section 29 of the Pension Act by the deletion of the words "or two" in the third line thereof.

which was the clause about which Mr. Jutras had made a motion. And now, Mr. Brooks' motion today is exactly on the same basis. He is moving that a recommendation be sent back on this bill in respect to this section 3, and I submit that it is in order.

The CHAIRMAN: Is there any further discussion on the point of order?

Mr. CROLL: Mr. Chairman, originally I asked Mr. Green if we dealt with Mr. White's motion what would be the position, would that dispose of it once and for all or would it be introduced again on each pertinent section and I didn't get his answer to that.

Mr. GREEN: On a question of privilege. I said there might very well be recommendations on special sections.

Mr. CROLL: All right, and now we are having them, the very same thing on specific sections; the original motion that I made dealt with the recommendations of the legion and the other service groups and with the increase of allowances and ceilings. That motion having been resolved, any further motion made pertaining to these two points has already been decided and I think the chairman is perfectly right when he says that it is a previous decision that has already been resolved; we ought to support his ruling that the motion is out of order.

Mr. BROOKS: Mr. Chairman, just to clear up the point Mr. Croll makes—if he will read Mr. White's motion he will notice that it had to do with the recommendations of the legion and the National Council of Veterans. My motion has nothing to do whatever with the legion recommendation or the recommendation of the National Council of Veterans. They are not similar in any respect, as far as that goes.

Mr. CROLL: Except as to the amount.

Mr. BROOKS: I didn't mention the amounts at all.

The CHAIRMAN: Is there any further discussion on the motion?

Mr. HARKNESS: On this point of order which has been raised.

The CHAIRMAN: That is what we are on.

Mr. HARKNESS: All that we as a committee did in adopting Mr. Croll's amendment was, as I said before, to express a pious hope that the government would continue to give favourable consideration, or something of that nature, to veterans matters. We did not in passing that amendment deal at all with

the amounts which are incorporated in this bill or in the schedule to the bill. Now we have two sections which deal with specific amounts. I do not see any reason in the world why an amendment cannot be moved to any section which deals with specific amounts. If you follow that line of reasoning to its logical conclusion you would get to the point where it would not be possible for us to make any further amendments of any kind because this amendment of Mr. Croll's was adopted.

Mr. DICKEY: Mr. Chairman, that does not follow to a logical conclusion. The reason that I think this motion is out of order is the reason that you have stated on several occasions when Mr. White's motion was originally presented, that this was premature. However it was persisted in. Now the committee is faced with having made a decision. And now, the decision in this case was both an affirmative decision and a negative decision. The negative decision was that we would not at this time recommend to the government that the amount be increased in accordance with the recommendation of the legion and the National Council of Veterans.

I presume it is for that reason that Colonel Brooks has left out in his present motion any statement of the amounts either in figures or otherwise referring to the Legion recommendation and the National Council recommendation.

Mr. BROOKS: We can have independent ideas.

Mr. DICKEY: Well, I think in the discussion Colonel Brooks said it was his intention to adopt those figures in any event, but even if he did not, if his motion is simply that the government give consideration to increasing these amounts, that is exactly the eventual decision we have taken in adopting Mr. Croll's motion, and I think we are faced with both a negative and affirmative decision that makes this motion out of order.

Mr. CRUICKSHANK: Mr. Chairman—

The CHAIRMAN: You are speaking to a point of order in this connection.

Mr. CRUICKSHANK: Fortunately or unfortunately I am not a lawyer, but we passed in this very room, and the record shows it and it was Mr. Brooks who moved, that we recommend, and that is all we can do, otherwise why are we sitting here if we cannot make recommendations—and if I remember correctly Mr. Brooks made a motion recommending that this disability pension be increased by 33½ per cent, and some of the rest of us, I think it was Mr. Herridge moved and I seconded it, felt it should be made 25 per cent. It is a matter of record here, and it was passed, and if I remember correctly it was passed unanimously by the committee. Surely we have the right to make recommendations. That does not necessarily say, no matter who the government is, it is going to adopt them. I for one can see no earthly sense sitting here in committee and studying it if we cannot make recommendations. The recommendations might be entirely wrong and might not meet with the approval of three members of this committee, but surely such a brilliant man, a Queen's Counsel, as the honourable member for Spadina will not deny the fact that I have a right to make a recommendation. It is a matter of record in this very committee, in this very room, that Mr. Brooks moved 33½ per cent and Mr. Herridge moved 25 per cent, and I seconded that. Surely we have that right, or else I for one am wasting my time in the meetings of this committee if I have not the right as a member of parliament to recommend, and I defy that same Queen's Counsel from Spadina to show me on any ground why you cannot make a recommendation.

Mr. CROLL: I agree with everything Mr. Cruickshank said with respect to recommendations. We have always made recommendations, at the proper time. Earlier today in this session Mr. Dickey raised the question and said, "It is premature. Withdraw it now and we will deal with it later." I agreed

to withdraw the amendment, but they would not withdraw the resolution, thus we have dealt with it. We are precluded now from making recommendations on matters that were resolved by that amendment.

The CHAIRMAN: I would like anyone who wishes to speak not to confuse the issue, to speak to the point of order because we have to clarify that first.

Mr. GREEN: I think a reading of Mr. Croll's motion will clarify this point of order. It reads:

The committee recommends to the government continued and sympathetic study of the needs and requirements of recipients of War Veterans Allowance keeping in mind the recommendations of the Veterans Organizations in that respect and particularly with regard to permissive income.

Well now, Mr. Croll argues that because his motion has been passed we cannot make any recommendation with regard to any section of this bill.

Mr. CROLL: Specific section, I said.

Mr. GREEN: Which deals—

Mr. CROLL: "Any specific section". We can recommend on the bill.

Mr. GREEN: With any specific section at all. Just realize how ridiculous that is. Mr. Croll's resolution does not set any definite time. It allows the government to consider it this year or next year or five years from now. On the other hand, we have to send Bill 181 to the House at this session, and surely we are entitled to send Bill 181 back to the House with recommendations concerning specific sections. The time element enters into the picture, and if Mr. Croll's submission is agreed to now it will mean that we cannot make any specific recommendations on the sections at all.

The CHAIRMAN: That is another generality. I don't think you mean that.

Mr. GREEN: Well, we cannot submit any recommendation which deals with the matter raised in either of the briefs submitted by the veterans organizations.

Mr. CROLL: That is not what I said at all.

Mr. GREEN: In effect, it does exactly what Mr. Cruickshank says. It makes it absolutely impossible for this committee to make any specific recommendation concerning the sections of the bill, and I submit there is no rule of order supporting any such contention.

Mr. GILLIS: Mr. Chairman, I just want to say that I did not agree with Mr. Croll or Mr. Dickey.

The CHAIRMAN: You will have to be careful because you may end up on my side, because I don't agree either in some respects.

Mr. GILLIS: At the time we discussed Mr. Croll's amendment this bill was not before the committee at all. It was a recommendation, but the bill was laid to one side for the purpose of discussing whether we were going to make a premature recommendation or not, and we decided that, and after we decided that Mr. Croll's amendment would carry and we would make that recommendation—and I presume it will be embodied in our report when it is brought in—the chairman then picked up the bill and he said, "Now that we have got that out of the way we will take the bill and we will start in on section 2."

Now, discussing the bill clause by clause in my opinion has not any reference at all to that previous motion, and it is rather ridiculous to say that we are not in a position—why are we sent here? The government merely sends that bill in as their opinion of what can be done at this time, and then they set up a committee and we discuss that bill clause by clause. What for? Not for the purpose of just endorsing it, because there would be no need of the committee; they can put it through the House. So it is our job to look

at it clause by clause, and any clause we don't agree with we have the right to say how we think it can be improved. If we haven't got the right to do that in the committee, then we should not be examining the bill. It should have been put through the House with the weight of the government behind it, with any objections we wanted to make. But, the government is fair about it, and gives us a chance of coming here and looking it over and making what recommendations we can. I think we are being ridiculous, particularly old veterans of procedure, when they say that we haven't got the right because Mr. Croll made a motion early in the session which said we will not make a premature recommendation now. The matter of continued and sympathetic study is something that is taken for granted anyway. I presume Mr. Croll's motion on that point was for the purpose of avoiding making a decision on the thing now, rather than recommending it now and embodying it in our report. I don't see anything wrong with this committee saying to the government, through the chairman, that we are not satisfied with the rates and schedules set out and we think they should be increased by \$10 or \$15, or whatever it should be. I think it should conform to the Legion's recommendation of \$60 and \$120.

The CHAIRMAN: Please, this is on the point of order.

Mr. GILLIS: I am commenting on what Mr. Brooks' motion means at this time, and I am convinced, Mr. Chairman, that there are too many sensible people in this committee to take the attitude that we have tied our hands on making a recommendation to amend any section of this Act now because we have passed something that is going to be embodied in our report later on.

Mr. ROSS: Mr. Chairman, I fail to follow the reasoning of Mr. Croll and Mr. Dickey on this point and the fact Mr. Croll's amendment has been passed should nullify our making recommendations at this time. All our previous arguments were to the effect we should deal with this matter as we came to the various clauses. This deals specifically with the amount in this clause and if we pass it in the bill then we should make our recommendations to the government for the change in the basic allowances. I would think it would be logical that when Mr. Brooks, or anyone else who proposed the recommendation on this clause that deals with specific allowances, when we finish with the bill we should again make the recommendation. I think this Veterans Affairs Committee of the House of Commons is recognized as a body of members of the House of Commons which is going to give some thought and study and the benefit of its judgment to the clauses of the bill. Otherwise why is the bill referred to a committee like this, if it is being asked to sit here and waste its time merely as a rubber stamp. I am sure the government did not expect that of this committee.

I think it is perfectly in order to move recommendations on those particular clauses that deal with the very amount, and, in winding up, that we should repeat those recommendations.

Mr. JUTRAS: Mr. Chairman, I think we are leaving ourselves in the position I pointed out at the very first meeting if my amendment was not accepted—if the motion was proceeded with. There are quite a few members on the committee who have pointed out that this would result from the motion being proceeded with. Mr. Gillis said that the motion by Mr. Croll was dealt with independently of the bill, but as a matter of fact, whether you like it or not, the motion was made on the bill, because the bill was presented to the committee well before that. If you refer back to the records of Friday, May 23, 1952, on page 86 you will see where the chairman says, "If anybody wants a copy of that statement, I have extra copies here. The discussion, gentlemen, is on Bill 181, and we are on clause 2—that is the customary place to start, Interpretation."

Mr. GREEN: Read the next paragraph.

Mr. White said: "Mr. Chairman, before you proceed with the bill . . .".

Mr. JUTRAS: He means, "Before you proceed with the section." Actually there is no reference from the chairman that we had left the bill, that was the general understanding at the time, and you will find it back under the remarks of those who spoke on the procedure that was being suggested by Mr. White at that time. So, whether we want it or not, the motion was made on the bill at that time. Now, it does not preclude all recommendations, but, as we pointed out at that time, it does preclude the specific recommendation made in that motion, and I suggest that is the situation at the present time.

The CHAIRMAN: Gentlemen, I do want to address a few remarks on the discussion that has taken place this afternoon. I hope I can make myself heard, but I am labouring under a difficulty. In the beginning I was going to point out that all of the discussion which has taken place since the middle of page 86, as indicated by Mr. Jutras, has been on the bill, and there is no question of the resolution of Mr. White as amended and carried by Mr. Croll being a separate and distinct discussion from the consideration of the bill.

The second thing I wish to say is that Mr. Gillis was quite correct when he indicated he was quite sure it was not the wish of the government to impose any restriction on this committee in the manner in which they were to discuss and consider the bills. I have to point out to you that the committee has fallen into a pit which is of its own digging, because at the beginning, before we had any detailed examination of the bill, Mr. White moved a resolution in these words:

That the committee recommend that the government give consideration to introducing legislation during the present session of parliament which will give effect to the representations submitted to committee by the Legion and National Council of Veterans that the rates of allowance and maximum total incomes set out in the schedules to Bill 181 should be increased.

To that motion Mr. Croll moved an amendment and the committee carried it:

The committee recommends to the government continued and sympathetic study of the needs and requirements of recipients of War Veterans Allowance keeping in mind the recommendation of the Veterans Organizations in that respect and particularly with regard to permissive income.

I should point out to you that leaves me two grounds on which to base a decision with respect to the motion of Mr. Brooks. I am reading from page 135 of Beauchesne's Third Edition No. 332:

It is a rule in both Houses, which is essential to the due performance of their duties that no question or bill shall be offered that is substantially the same as the one on which their judgment has already been expressed in the current session.

I might read here the motion of Mr. Brooks:

That it is the opinion of the committee that the government should give consideration to increasing the amounts specified.

which I would point out to you is simply another way of saying that the rates and allowances of the maximum total incomes in Bill 181 should be increased. The language is different, and there is no reference to either the National Council or the Canadian Legion, that it is substantially the same one which from their judgment has already been expressed.

I might go on and quote another sentence or two:

That a question being once made and carried in the affirmative or negative, cannot be questioned again but must stand as the judgment of the House.

In that respect I go back again to the original motion of Mr. White which was negatived when we carried the amendment of Mr. Croll. Mr. Green, in speaking to that amendment of Mr. Croll's, said in the committee that the effect of passing Mr. Croll's amendment was to negative—first of all he said Mr. Jutras' amendment, and then he attacked it on the other ground that it was a parallel motion, I think, but subsequently he said that the effect of Mr. Croll's motion was to negative—

Mr. GREEN: Just a moment. What did I say?

The CHAIRMAN: I believe it was Mr. Green, certainly one of the gentlemen speaking to it—it may have been Mr. Harkness—but I think it was Mr. Green who said that the effect was to negative the motion of Mr. White, and certainly in my judgment that was the effect of it. I do not think at this moment that it is incumbent upon me to go beyond the decision of the moment. I would have to consider very carefully any subsequent amendments which might come as to whether or not they were in effect negatived by the decision taken this afternoon, or whether they were in effect either stated or implied or involved in the motion of Mr. White, but clearly on the basis of what I have said to you I have no option in this matter but to rule that the motion of Mr. Brooks is not in order on the ground it is specific to the previous motion and that it has already been negatived in the particular respect in which he seeks to re-introduce it.

Before I sit down—

Mr. LENNARD: Mr. Chairman, does that mean to say that we cannot make any recommendations from this committee?

The CHAIRMAN: No. I listened patiently, and the committee will have an opportunity to challenge my decision if they desire. There are matters involved in this legislation in which the committee can, I am sure, make recommendations which, if carried, would be completely proper. But I have to insist again, as I did at the beginning, that the limitation which is placed on this committee was placed there by the members of the committee themselves when they elected to make a blanket recommendation in specific terms before they had considered the bill. I would point out to the committee that at the time of the first recommendation, Mr. Jutras did rise and point out that if we did this we would limit ourselves, and that we could not take two bites at the cherry in the same committee. I did not write the rules, and the government did not write them, but I have the responsibility of seeing that we keep to the rules.

We are in this position. We have resolved ourselves in a recommendation to do certain things, and negatived a resolution to do other things. Now, any decision on this type of motion must be made in the light of the recommendation as approved by this Committee. Accordingly, as I stated, I have no option but to rule it out of order.

Mr. BROOKS: Mr. Chairman, I must appeal your ruling, and I certainly do not agree with the argument that you have made—

Mr. CROLL: He appeals; let him appeal.

Mr. BROOKS: You are not the chairman of this committee.

The CHAIRMAN: I was waiting a moment to hear what Mr. Brooks has to say.

Mr. BROOKS: We are dealing with section 3, and all these sections are something definite in themselves separate and apart, and to say that a blanket ruling—if Mr. Croll's motion had covered section 3, as definitely section 3—I would say the ruling was entirely in order, but it did not.

The CHAIRMAN: I gave the committee ample opportunity to state their views on the point of order before I gave my ruling. I listened with interest to everyone who wished to speak.

Mr. GILLIS: Have you given your ruling?

The CHAIRMAN: I have.

Mr. GILLIS: Can I ask you a question? In ruling out any amendment on that particular subject of the schedule, you are not carrying this whole clause?

The CHAIRMAN: Oh, no. We are dealing with a point of order. There has been a motion made by Mr. Brooks. On a point of order, I was asked to give a ruling whether the motion was a proper one, and I have ruled that it is not. To my ruling Mr. Brooks has taken exception.

Mr. ROSS: Could we have a recorded vote?

The CHAIRMAN: Those in favour please say aye. Those opposed say nay. I declare the nays have it.

Mr. ROSS: Could we have a recorded vote?

The CHAIRMAN: I don't like being sticky about the rules, but a recorded vote should be called for before the vote is taken.

Mr. ROSS: I did do that.

Mr. CROLL: Mr. Chairman, he did ask for it.

The CHAIRMAN: Very well, I am sorry I did not hear you.

(A polled vote was taken.)

I declare the ruling of the chair upheld 14 to 8.

The committee will resume on Tuesday afternoon at 4 o'clock.

HOUSE OF COMMONS

Sixth Session—Twenty-first Parliament, 1952

SPECIAL COMMITTEE

ON

VETERANS AFFAIRS

Chairman: L. A. MUTCH, ESQ.

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 7

TUESDAY, JUNE 10, 1952

Bill 181, An Act respecting Allowances for War Veterans and their Dependents.

WITNESSES:

Mr. E. L. M. Burns, Deputy Minister; Mr. W. G. Gunn, Q.C., Director Legal Division, Department of Veterans Affairs, and Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board.

ORDER OF REFERENCE

MONDAY, June 9, 1952.

Ordered,—That the name of Mr. McWilliam be substituted for that of Mr. Henderson on the said Committee.

Attest.

LEON J. RAYMOND,
Clerk of the House.

MINUTES OF PROCEEDINGS

TUESDAY, June 10, 1952.

The Standing Committee on Veterans Affairs met at 4.00 o'clock p.m. this day. Mr. Mutch, Chairman, presided.

Members present: Messrs. Balcom, Blair, Brooks, Carter, Corry, Croll, Cruickshank, Dickey, Dinsdale, George, Gillis, Green, Harkness, Hosking, Jutras, Langlois (*Gaspe*), Lennard, McLean (*Huron-Perth*), McWilliam, MacDougall, MacLean (*Queens, P.E.I.*), Mott, Quelch, Weaver.

In attendance: Mr. E. L. M. Burns, Deputy Minister, Mr. W. G. Gunn, Q.C., Director, Legal Division, and Mr. G. H. Parliament, Director General of Veterans Welfare Services, Department of Veterans Affairs; Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board.

The Committee resumed consideration of Bill No. 181, An Act respecting Allowances for War Veterans and their Dependents.

Messrs. Burns, Gunn and Garneau were questioned.

Clause 3 was considered and, after discussion, adopted on division.

On Clause 4:

The Chairman laid before the Committee for consideration a re-draft of Clause 4, as follows:

4. (1) Subject to this Act, from and after the first day of August, nineteen hundred and fifty-two, any veteran who resides in Canada, has attained the age of sixty years and who satisfies the following conditions, namely,

(a) he is unable to maintain himself by following his former ordinary occupation,

(b) he is capable of taking light or intermittent employment, and

(c) he is unemployed

may, on application and as an alternative to any allowance for which he may be eligible under section three, be paid an allowance with respect to any period during which those conditions prevail, at the lesser of the following rates, namely,

(a) the monthly rate specified for the veteran in Column II of Schedule B, or

(b) the monthly rate that will produce the total monthly income, including allowances, specified for such veteran in Column III of Schedule B.

(2) A recipient of an allowance under this section may apply to the District Authority for an allowance under section three.

(3) The District Authority may at any time review the case of a recipient of an allowance under this section and may change the award to an award under section three.

After discussion the said Clause, as re-drafted, was adopted.

Clause 5 was considered and adopted.

After discussion Clause 6 was allowed to stand.

Clauses 7 to 19 inclusive were severally considered and adopted.

At 5.55 o'clock p.m. the Committee adjourned to meet again at 4.00 o'clock p.m., Thursday, June 12, 1952.

R. J. GRATRIX,
Clerk of the Committee.

EVIDENCE

JUNE 10, 1952.

4.00 p.m.

The CHAIRMAN: Well, gentlemen, we have a quorum. The discussion on Tuesday last was centred on clause 3. We carried clause 2 and had commenced clause 3—allowances to veterans, widows and orphans. Shall the section carry?

Mr. GREEN: Mr. Chairman, on this section 3, just what is meant by those words “including allowances” in the second last line?

The CHAIRMAN: “The monthly rate that will produce the total income, including allowances, specified for such veteran, widow or orphan in column III of schedule A,” and what is the meaning of “including allowances”?

Mr. E. L. M. BURNS (*Deputy Minister*): It means that, for example, if a single man has a pension of \$420 a year, he would have \$300 allowance. Therefore, his total income including allowance would be \$720.

The CHAIRMAN: Then “including allowances” means in the language of the Act the war veterans’ allowance?

Mr. GREEN: That is the point on which I was not clear, whether the wording was sufficiently broad to make sure that that wording does refer only to the war veterans’ allowance and not to other allowances.

Mr. W. G. GUNN, Q.C. (*Director Legal Division*): May I suggest that perhaps the answer lies in the definition of “allowances” contained in section 2 reading:

(a) ‘allowance’ means an allowance payable under this Act.

That should take care of the point raised by Mr. Green.

The CHAIRMAN: Section 2(a), Mr. Green,—“allowance means”—does that meet the situation with respect to your submission?

Mr. GREEN: Yes.

The CHAIRMAN: Shall section 3 carry?

Carried.

Mr. BROOKS: On division, Mr. Chairman.

The CHAIRMAN: Section 4—now on section 4, gentlemen, the deputy minister has handed me a revised wording of this section—copies are being distributed—the necessity for this being brought in is the change which we have agreed to make in section 3(1), namely, “sixty” for “sixty-five” and, furthermore, I think perhaps I will read the new one while they are being distributed.

BILL 181

4. (1) Subject to this Act, from and after the first day of August, nineteen hundred and fifty-two, any veteran who resides in Canada, has attained the age of sixty years and who satisfies the following conditions, namely,

- (a) he is unable to maintain himself by following his former ordinary occupation,
- (b) he is capable of taking light or intermittent employment, and
- (c) he is unemployed

may, on application and as an alternative to any allowance for which he may be eligible under section three, be paid an allowance with respect to any period during which those conditions prevail, at the lesser of the following rates, namely,

- (a) the monthly rate specified for the veteran in Column II of Schedule B, or
- (b) the monthly rate that will produce the total monthly income, including allowances, specified for such veteran in Column III of Schedule B.

(2) A recipient of an allowance under this section may apply to the District Authority for an allowance under section three.

You will note the purpose is to make clear the statement I made originally in the House on the bill that the veteran has the power of election. And:

(3) The District Authority may at any time review the case of a recipient of an allowance under this section and may change the award to an award under section three.

The deputy minister informs me that the government have consented to this amendment. Normally the place to raise this is in the committee of the whole in the House but since there are some changes in it, I think it will be sufficient for our purposes if this committee considers the amended 4 and reports the amended section 4 even though it will be necessary in the House itself for the minister to move, as he will, in the case of "sixty" for "sixty-five."

Mr. CRUICKSHANK: May I ask a question?

The CHAIRMAN: Yes, Mr. Cruickshank.

Mr. CRUICKSHANK: It is not easy for me to follow these (a), (b) and (c) amendments without having seen them before, but was any recommendation made by this committee—I am not speaking against the measure—was any recommendation made by this committee in favour of this amendment?

The CHAIRMAN: Not this amendment, Mr. Cruickshank. This is a re-drafting of section 4 in the printed bill and the purpose of the re-drafting is—it has three purposes, one to make it clear that the veteran has a right to come in under either 3 or 4; the second thing is that it shall be age sixty instead of sixty-five, which was formerly enacted, and the third thing is the limitation in the first section, that is to say, that so far as this section which is now in the war veterans' allowance bill is concerned it will become operative on the 1st of August this year. There is no recommendation from anybody on it, Mr. Cruickshank; it is a new proposal in the legislation put forward by the department in this bill.

Mr. CRUICKSHANK: That is just the very point I wanted to get at, Mr. Chairman. I am not saying I am for or against these recommendations. I have not had an opportunity to study whether it is in the interest of the veteran or not, but the point I am getting at is, apparently the department are willing to accept the suggested changes and recommendations, is that correct?

The CHAIRMAN: That is not what I said. I said that the government have re-drafted section 4 of the bill and that the deputy minister has been authorized to bring in the new section 4 which it is proposed to move in the House in order that the committee may consider it alternatively to the No. 4 in the bill.

Mr. CRUICKSHANK: Then I would presume, Mr. Chairman, that we are quite in order in making a recommendation in connection with various sections and suggestions such as this being made.

The CHAIRMAN: There is a difference, I think. If I realize what you are coming at, this is a notice to the committee that the government in the committee of the whole propose to amend section 4. It is different from the committee amending it and in order that the committee might discuss in committee what the proposed legislation is, the amendment is given to you here.

Mr. QUELCH: In regard to 4 (1) (a):

He is unable to maintain himself by following his former ordinary occupation.

Does that mean physically unable or does it mean that he is unemployable and cannot get a job in his former occupation?

Mr. BURNS: It means physically unable, Mr. Quelch. It is to include seasonal workers who while they may be perfectly capable of making a living are not able to secure work in off seasons due to normal seasonal factors.

Mr. QUELCH: Do I understand that under this section if a man elects to come under this section—he is unemployable but he wants an opportunity of getting a certain job—then no matter what the income might be for that job he could work at it for a month and maybe draw, say, \$200 or \$300, and that will not in any way prejudice his receiving allowances?

Mr. BURNS: That is the intention.

Mr. BALCOM: To qualify under 1(a) must the veteran have a certificate from the Department of Veterans Affairs doctor or is a certificate by his own doctor sufficient?

The CHAIRMAN: The Act does not say for what reason he is unable to maintain himself, "by following his former occupation."

Mr. BURNS: It will have to be a matter of decision by the district authority in the first instance.

Mr. QUELCH: I am thinking of the result of an industry in which he was always working closing down, or there was no possibility of getting a job and the industry no longer existed—such a condition could obtain.

Mr. BURNS: If perhaps a man had been working in a mill in a little place where there is no alternative employment and he has reached the age of sixty and the mill closed down and there is nothing else he can get to do, he is eligible under this section.

The CHAIRMAN: It is clear, is it not, that it is not the intention in administering this section of the Act to force anyone sixty years of age to change his home or location to get a job?

Mr. BURNS: That is so.

Mr. GREEN: Mr. Chairman, will this proposed amendment be printed in our proceedings today? I think it would be very helpful if it were printed ahead of this discussion.

The CHAIRMAN: As soon as the deputy was able to clear the facts they were distributed. I think everyone has them now.

Mr. GREEN: But I might suggest that it be printed in the proceedings ahead of the discussion so that anybody reading the report could refer to the amendment.

The CHAIRMAN: I am sorry I did not understand you, Mr. Green.

Mr. GREEN: Why is that age qualification of sixty years inserted in the amendment? There are some veterans under sixty who can qualify for the allowance under the present Act and they will be able to qualify under section 3 of the new Act, but they are not given this opportunity of getting work on a monthly basis and I do not see any reason why that privilege should not be extended to them. There probably will be very few who could

take advantage of it but under the definition contained in section 3, subsection (c), clause (ii) there would be some cases. That reads:

(ii) is, because of physical or mental disability or insufficiency combined with economic handicaps, incapable and unlikely to become capable of maintaining himself or herself;

Now, there may be some veterans who qualify for the ordinary allowance under that clause who could get work for a period of a few months at a higher rate and I think they should be entitled to do so.

One other suggestion which has to do with the widows. This section 4 does not apply to a widow. I do not understand why the widow should not have the same privilege, that is, why she should not be able to get some work and draw her allowance on a monthly basis.

As I read section 4 even in the proposed amended section 4 the widow cannot possibly have any of the benefits of this alternative type of allowance.

The CHAIRMAN: With respect to your first comment, Mr. Green, as to why sixty years, I think it is clear that an applicant under war veterans' allowance who receives the allowance before the age of sixty must be unemployable and I think that this restriction:

...is unable to maintain himself by following his former ordinary occupation...

or

is capable of taking light or intermittent employment.

if they qualify under that they would disqualify themselves as being unemployable.

I think that the position of the veteran who is not yet sixty years of age is taken care of by this legislation except for the basic increases, but you cannot have it both ways. You cannot have them certified unemployable in order to get in under sixty and then certify them as being capable of intermittent or light employment for the purpose of getting them under 4.

Mr. GREEN: But there are two different sets who can qualify under 3(1)(c) and the first one is the man who is a veteran permanently unemployable and I take it your argument would apply to that man, but then there is the second group who do not have to be permanently unemployable but need only be incapable or unlikely to become capable of maintaining themselves.

Now, they still might be able to do light or intermittent work and I think they should be given the privilege of coming under section 4.

The CHAIRMAN: This has been very carefully considered in the committee and also in the matter of dealing with regulations with respect to the proposed 4. Can you add anything to that, Mr. Burns?

Mr. BURNS: Mr. Chairman, we appreciate the point that Mr. Green makes and have given it some thought but it is very difficult to determinate who should qualify under clause 3(c)(ii). I think the chairman of the War Veterans' Allowance Board will tell you that they are the most difficult cases in which to adjudicate.

We felt that as we were introducing under section 4 something new which will present certain difficulties in administration anyway, we should not go too far at the present time by taking in people who qualify as unemployable because of mental or physical disability or insufficiency combined with economic handicaps.

I am afraid it would be impossible to administer until we are more certain of the principles of the working of section 4. The same difficulty would obtain as far as the widows are concerned.

Mr. GREEN: I do not understand that, General Burns. The widow qualifies automatically if she is fifty-five years of age just as the veteran qualifies automatically at sixty years of age and there should not be any administrative difficulty in the case of a widow.

The CHAIRMAN: I think the administrative difficulty arises, of course, with the veteran himself under 3(c) (ii). In the case of the widow, I think the committee will remember that we asked a representative of the Non-pensioned Widows' Association when she was here—Mrs. Darville—about their interest in coming in under 4. My recollection is that they were not very much interested in it.

Mr. BROOKS: I think one approved and the other did not.

Mr. GREEN: I do not think they understood thoroughly the advantages of this section 4.

The CHAIRMAN: That may be.

Mr. QUELCH: Mr. Chairman, I was not here at the last meeting so I may possibly get out of order.

The CHAIRMAN: I will tell you if you do, Mr. Quelch.

Mr. QUELCH: I like this section; I think it is a very good section and I am not in any way criticizing it, but I do want to make this point. Perhaps in this section I think an allowance might be made so that the veteran who is totally unemployable, not merely unemployed but unemployable might be allowed to have additional income without it reducing the amount of the allowance because there is no provision in the Act so far as I can see where a veteran who is totally unemployable can receive any benefit under this Act and we do not allow him to have any earned income other than that specified in the Act even though he is unemployable and he is therefore not able to benefit under this Act as it is drawn up.

There have been a lot of wise cracks about the unemployability supplement. Let me point out the unemployment disability supplement does not help out the small pensioner because he does not receive the unemployment disability supplement unless he has a pension of over 40 per cent if married or over 30 per cent if single, and it was held that another pensioner who was receiving a pension of 5 per cent disability could receive the war veteran's allowance; he did not have to have seen service in any theatre of war, but if his disability was under 40 per cent if he was married he could not get the unemployable supplement.

The CHAIRMAN: He had to rely on war veterans' allowance.

Mr. QUELCH: I am referring to the man who might be 100 per cent disability unemployable and cannot get any benefit under this Act. I claim this man should be allowed to have additional income because he cannot benefit through unemployment supplement.

The CHAIRMAN: It is for that purpose that the department is retaining the Assistance Fund, to take care of that type. At one time it was recommended to us that we abolish the war veterans' assistance fund and incorporate it in the basic rate and it is in order to permit that additional extra something in those cases which are not otherwise eligible that the department is retaining the Assistance Fund—for that very purpose.

Mr. QUELCH: But he is entitled to an additional \$15 per month if married and \$10 a month if single.

Mr. CRUICKSHANK: Might I ask a further question, Mr. Chairman? I was not aware that my good friend Mr. Quelch had joined the great trek to British Columbia.

Mr. QUELCH: I was at Windsor.

Mr. CRUICKSHANK: It is not quite clear to me and I see in 4(a):

he is unable to maintain himself by following his former ordinary occupation, (b) he is capable of taking light or intermittent employment.

Now, the point I am getting at is following up the unemployability Act last year in the rural districts it was altogether different than the city districts, but we will presume for the sake of argument the man has a light job and was holding down the position of caretaker in a rural school. The only plant that is left there has closed down.

Now, obviously there is not the source of employment in a rural district there is in a city to take any other employment. Will the department take that into consideration?

The CHAIRMAN: Yes, that is a similar case. In that case the man no longer able to employ himself if he is sixty could apply under 3 for the allowance, but if he could find, for instance, three months or four months in the winter caretaking in the schoolhouse—whatever he got paid for it he can elect to come under 4 if he is sixty years of age and make whatever he can in those four months and still draw the allowance under the Act. That is the purpose of the amendment.

Any further questions on 4 as amended?

Mr. BROOKS: In subsection (2):

A recipient of an allowance under this section may apply to the district authority for an allowance under section three.

If he is already receiving a monthly allowance and if that stops does he have to apply to come under section 3 again, or will it just continue automatically under the war veterans' allowance? My point is I do not see why he should have to make a further application.

Mr. BURNS: The purpose of this subsection (2) was to make it quite clear that no one will be forced to remain under this section 4 if he does not want to. Therefore, any recipient may apply to be placed under the old terms.

Mr. BROOKS: I would think he would be automatically on 3. If his monthly employment ceases, I would think he should continue on this and be automatically under 3 without making a further application.

Mr. BURNS: No, sir, a man who was under section 4 and who got a job which lasted for some time and then closed down would be back under 4 when he applied, and would get a monthly allowance. If, however, his physical condition should change so that he was no longer able to work at all, he could apply to be placed under section 3.

Mr. BROOKS: But if he did not apply he would continue to get his monthly allowance just the same?

The CHAIRMAN: Wouldn't it be correct to say that we can clear that point when we get to subsection (3):

The district authority may at any time review the case of a recipient of an allowance under this section and may change the award to an award under section three.

I think section 2 has to be read together with section 3 because a man might stay there, but a man who was on the monthly rates, if it becomes apparent after two or three attempts that he is never going to be able to work again then either he may say, "Put me back on 3," or you might say to him, "You will have to go back on 3 because you cannot work any more."

Mr. BROOKS: He may not know whether he is going to be able to work again or not.

Mr. BURNS: The intention is, according to the man's circumstances, to move him from one section to another.

The CHAIRMAN: Wherever it will be to his advantage.

Mr. BROOKS: But there will be no possibility of his losing out on getting his allowance?

The CHAIRMAN: I do not think so.

Section 4 as amended—carried?

Carried.

Section 5:

5. (1) On the death of a veteran who, either at the time of his death or at any time within the last twelve months of his life, was a recipient of an allowance, a District Authority may, at its discretion and within six months from the date of death, award to his surviving spouse, in lieu of any allowance for a period of twelve months otherwise payable to such spouse under this Act, an amount not exceeding in the aggregate twelve times the lesser of the following rates, namely,

(a) ninety dollars per month, or

(b) the monthly rate that will produce a total income, including allowance, to the surviving spouse of twelve hundred dollars per year.

(2) On the death of a wife or child in respect of whom a recipient was receiving an allowance at the date of such death the District Authority may, at its discretion, award to the recipient a sum not exceeding in the aggregate twelve times the lesser of the following rates, namely,

(a) ninety dollars per month, or

(b) the monthly rate that will produce a total income, including allowance, to the recipient of twelve hundred dollars per year.

That is the whole section. Would you like to say something on that, Mr. Garneau?

Mr. F. J. G. GARNEAU (*Chairman, War Veterans' Allowance Board*): Yes, Mr. Chairman. This is a broadening of the old section 17 of the former Act, which is explained in the note, which limited the award which could be made to a widow following her husband's death to the actual amount of allowance which he was receiving at the time of his death, that is, in the case of a pensioner, for instance, who might have had a \$50 per month pension, using our present rates of \$70.83, and a present ceiling of \$90, and we could only award an allowance of \$40, which would have brought their income up to the ceiling permitted under the Act.

The purpose of this Section 5 (1) is to permit the widow to receive the full amount of allowance which her husband would have been entitled to during his lifetime had no pension been in payment. We now could grant his widow the full allowance which would have been payable to her under the above circumstances. Under this Bill she could receive for one year either \$90 a month, or if she had other income of her own an amount of allowance which would bring her income for a period of one year to an amount of \$100 per month.

As regards subsection (2), this is an addition to the present Act because the privilege, if it could be called that, which was given to the widow throughout the years of section 17 is now, I think properly too, extended to the veteran himself if he should be bereaved of his wife and has to pay her last illness

expenses, hospitalization and so on; so it is really an extension for one year of the allowance at married rate which was limited to a month formerly to the veteran himself.

Mr. GREEN: He can only get one month at present?

Mr. GARNEAU: Yes, and now he will get twelve months.

Mr. BROOKS: What proportion of the widows receive those, would you say?

Mr. GARNEAU: Most of them—a large number of them unless they have assets exceeding \$1,500 or \$1,600. In the case of a widow, if she had insurance, if for instance her husband had left her, say, \$2,500 insurance clear and all expenses paid, or some like amount, we would not grant continuation under section 17 (1) of the present Act because there would be no state of immediate necessity.

The old section 9 was really to tide the widow over the period for one year after the husband's death, but if she did not have any more personal property or just this \$1,500 we would continue at the present time the allowance to that widow.

Mr. BROOKS: I know of cases where they had small insurance, \$1,500 to \$2,000, where they could not get it.

Mr. GARNEAU: Well, if it was over \$1,500 very possibly, but I think even we have stretched it in some cases in the last year or so too.

Mr. GREEN: Will that be the case also under the new Act, that if a widow has insurance amounting to \$1,600, say, she would not qualify under this section?

Mr. GARNEAU: I do not think it will be the case. I do not think I am speaking out of turn but we will probably extend the provision of personal assets permitted to the widows as well as to the married veterans and that may be in the vicinity of \$2,000.

Mr. GREEN: In other words, under the new Act you will make it \$2,000 instead of \$1,600?

Mr. GARNEAU: Yes.

Mr. BROOKS: That would be by regulation?

Mr. GARNEAU: Yes, it will be a matter for regulation. It is not in the Act; it had to be an administrative policy and that is what we thought was fair at the time.

The CHAIRMAN: Shall the section carry?

Carried.

Section 6—

EXEMPT INCOME.

6. (1) Notwithstanding anything in this Act or the regulations, the following receipts are not income for the purposes of this Act:

- (a) any sum payable under section twenty-six of the *Pension Act* or under similar or equivalent laws of the country in whose forces the recipient served;
- (b) any additional allowance payable under the *Pension Act* in respect of any child or parent of a veteran or under similar or equivalent laws of the country in whose forces the veteran served;
- (c) any pension or grant received by reason of a military decoration;
- (d) any casual earnings of the recipient;
- (e) any gratuity paid or credit granted under *The War Service Grants Act, 1944*;
- (f) receipt of money or assistance from any province or municipality by way of mothers' allowance or by way of relief to dependent children;

- (g) any allowance paid under *The Family Allowances Act, 1944*;
- (h) pay allotted or assigned by a member of the Canadian forces on active service, where no dependents' allowance or moneys paid for such purpose has been awarded in respect of the recipient or the spouse of such recipient; and
- (i) any other receipts, whether in cash or in kind, prescribed by the regulations.

(2) In determining what shall be deemed to be the income of a recipient from any interest in real property, the value of any premises in which the recipient resides shall be taken into account only to the extent that it exceeds six thousand dollars.

Mr. HARKNESS: In (i), what are these "other receipts, whether in cash or in kind, prescribed by the regulations"?

The CHAIRMAN: Have you got those, Mr. Garneau?

Mr. GARNEAU: Being subject to regulations I do not believe they have as yet been fully determined. I believe at present the matter is under study and they will be defined. They would apply to the matter of board or lodging, contributions from children towards maintenance and free board or free lodging and similar conditions to those that are presently unforeseen and that are being studied in the way to give the recipient as generous an interpretation, I might say, as possible under that section.

Mr. HARKNESS: As I would understand this, then, if a veteran is being provided with board and lodging by his son, for example, that will not be taken into consideration in regard to his veterans' allowance?

Mr. GARNEAU: Well, it could be taken into consideration if it represents a very substantial amount. It could be taken into consideration. If he was living with and absolutely maintained by his son say to the equivalent of \$65 or \$70 a month, well I suppose that the question of need, or to what extent need exists, in granting the amount of an allowance which would meet that need, would have to be considered in a case like that.

The CHAIRMAN: I might interject. I think that this is left open partially to take care of a sticky problem that we had.

There are married recipients who have a small home which is clear and sometimes they rent a room to another single recipient or a friend, and it has been difficult to get any statutory provision for taking that into consideration at all, and I think the hope is by making (i) statutory that it will be possible by regulation to take care of some of these stickier contributions which have not been covered.

Mr. QUELCH: Mr. Chairman, I wonder why the existing (j) has been left out of the Act; (j) reads:

Unearned income to the extent of \$25.00 per annum.

Was that accidental?

Mr. GUNN: In reply to that, Mr. Chairman, I might say that section 22, I think it is, of this bill provides for regulations to be made by the Governor in Council and one of the things that are so provided is the matter of income. The Governor in Council may declare—I am looking at the section now—

The Governor in Council may make regulations defining income for the purposes of this Act and prescribing the manner in which income is to be determined including the income of the recipient and his spouse and the determination of the amount thereof that each shall be deemed to receive.

Now, in casual earnings that item was deliberately left out of this exemption provision for the purpose that it would enable the Governor in Council to take account of casual earnings.

Mr. GREEN: Casual earnings are included in the provision.

Mr. GUNN: I should have said \$25 of income rather than casual earnings. That is being left to the Governor in Council to determine what is appropriate in the light of all income that is taken into consideration in arriving at the proper amount.

Mr. QUELCH: Well, are we to gather that you mean that he would be allowed more than the \$25 for income?

The CHAIRMAN: I think if you have discretion when fixing the amount, certainly the power is there. I think perhaps the committee will remember that the original introduction of this \$25 was to induce recipients to purchase war savings bonds during the war when large numbers of these people were able to find work who had not worked for a long time, and the explanation just given is that the specific need for a dual system of ceiling having been removed it was thought by the law officers of the Crown they would be adequately taken care of by leaving in discretion.

Mr. QUELCH: I am not quite sure what the explanation is. You say they are encouraged to buy bonds. What we are doing then is we are taking the interest from those bonds away from them. If, on the other hand, it means you were going to lift the ceiling so that in certain circumstances you can allow them to have more than \$25, I have no objection to leaving that out, but if the idea is they are not going to be allowed to have any unearned income, I would object.

Mr. CROLL: Mr. Quelch, isn't (i) so broad as to allow them to do almost anything that they wished to do? Isn't that done deliberately?

Mr. HARKNESS: That is why I brought this (i) up because the explanation we got did not indicate whether it was broad enough to cover that.

Mr. CROLL: Well, what do the words mean, Mr. Harkness: "any other receipts, whether in cash or in kind, prescribed by the regulations"?

Mr. HARKNESS: I merely say the explanation we got did not indicate it might cover unearned income.

Mr. GREEN: Mr. Chairman, I think the very fact that this clause is being taken out of the Act is significant and cannot be overlooked. I do not believe there is any intention to include that specific provision under this power to make regulations.

The clause has been in the Act for a great many years and I presume that many of these veterans still have their war bonds and I would suggest that it should be carried forward to this revision. The Legion dealt with that question in paragraph 8 of their submission. It states:

We note under section (6)—exempt income—that the explanation on the opposite page states that the exemptions are reserved intact from section (13) of the present Act. However, on examination item 13(j) of the present Act providing for \$25 per annum unearned income does not appear in section (6) of the bill. We recommend that this provision be retained and the amount doubled in view of the depreciated value of the dollar.

Now, I remember for a good many years it has been clearly understood by Veterans Affairs committees that this provision was there to encourage the recipients to hold war bonds, Victory bonds, and I do not think it wise to take this section out of the Act now. In any event, let us face the fact that this new bill does take it out and that it is not covered by any of these general regulatory powers. The very fact that you delete a section makes it perfectly clear that the intent is not to have it covered by a regulatory power; otherwise such things as casual earnings could be covered by the regulatory powers.

Colonel Garneau has given an accurate explanation of the type of thing which will be covered by regulation and which should be covered by regulation, but this was a special case and it should be either in or out of the Act and I suggest that there is no reason for taking it out of the Act at this time.

Mr. GUNN: May I just say at this moment that Mr. Green is perfectly right that the explanatory note is somewhat misleading. I want to say that it was a slip of the pen on my part. I should have put in there in the explanatory note: "This section preserves intact everything excepting paragraph (j)." It was not written in that fashion with any idea of misleading anyone; it was purely a mistake on the part of the draftsman of the note.

With respect to Colonel Harkness' question as to the effect of paragraph (i), it was certainly intended by that special paragraph to enable the Governor in Council to add to these exemptions that are to be statutory exemptions the ones which I might observe are exempted as of right by statute.

Now it is left to the Governor in Council to add to those, as the Governor in Council as a result of administrative experience would determine and it would take care of that item of \$25 of unearned income as well as any other things too numerous perhaps to mention.

Mr. HARKNESS: Well, would not the situation be, though, that this \$25 may or may not in any particular case be taken care of by these regulations? It would be a matter possibly, I would think, in the future of the judgment of the board perhaps whether a particular recipient was going to have this \$25 exempted or whether he was not, rather than the situation we have had in the past where it was a specific part of the statute and it was automatic for anybody who had that earning.

Mr. GUNN: On that wording may I just mention, as Mr. Garneau has suggested, the assets in the case of married people may possibly be \$2,000. Now, if he had \$2,000 in bonds, there is the interest on those bonds which would bring the assets plus income to an amount which would be quite considerable and perhaps tend to break through the ceiling.

Mr. QUELCH: But this section (j) allows them to have that \$25, doesn't it, outside of the ceiling? Section (j) allowed them \$25 above the ceiling, so actually you are reducing the amount they have above the ceiling.

Now, if we can have a definite assurance that what Mr. Croll says is correct, there would be no objection. Mr. Croll says that (i) comes in and it says:

Any other receipts, whether in cash or in kind, prescribed by the regulations.

Therefore, can we have a definite assurance that the regulation will be drafted in such a way as to allow for covering (j) and perhaps put in an unlimited term to allow not merely for \$25 but for \$30 or \$40 if the other assets are low?

Mr. CROLL: I think what Mr. Quelch says now is the general tenor of the committee. When looking at the section I did not know that (j) had been left out. There was no way of my knowing. I did not compare it. I was not quite as hard working as Mr. Quelch who perhaps knows them by heart by now, but it seems to me that (i) is a very broad section and the whole tenor of the section is to liberalize it and interpret it in favour of the recipient.

I think now that the chairman of the board and the deputy minister and solicitor should carry away from here our impression, which I think is very general, that whatever regulations they make will protect that \$25 at least and then go beyond that. That is the impression, I think, of everyone on the committee.

The CHAIRMAN: By saying "at least" what you mean is that the recipient who has had the benefit of it should in no case be denied it. We are not very hard on any over-liberalizing of the chairman of the board in making such arrangements.

Mr. CROLL: We have always worked on one theory in this committee, and I think it has been generally our theory. We have never taken anything from a veteran but we have always added a little from time to time. That has been the practice of this committee for as long as I remember, and generally it is a good practice.

Now, suddenly, they come to us and they are attempting to do it in another manner with which we may not agree, but we want to feel certain that the veteran has not been deprived of anything and I think, Mr. Chairman, you should convey that to these people who are drawing the regulations, to keep that in mind and give us some assurance of that.

Mr. GREEN: Mr. Chairman, I think we should go further than that and ask that this clause be put back in the bill and that the figure be made \$50 instead of \$25.

The CHAIRMAN: You are not satisfied with holding what you have; you want to play for more.

Mr. GREEN: I think it would be reasonable to make that figure \$50.

Mr. CROLL: Double or nothing.

The CHAIRMAN: I do not care if I put this on the record or not, but if you will take advice from the chair, which you usually do not, I do not think I would make this a double or nothing proposition. I am pretty sure I know what you will get if you do.

Mr. GREEN: This is a pretty serious matter for these veterans. I do not think it should have been taken out of the Act at all. You take the case where a veteran is perhaps given \$500 in bonds or \$1,000, and the way this section has been hitherto those bonds were not taken into consideration and did not affect his allowance.

I do not think there has been any real reason given for wiping out the clause. I would hope that it could be put back in.

The CHAIRMAN: I think perhaps I should confess at this point that it escaped me as it escaped other members of the committee, until the legion made their presentation the other day. I will just ask General Burns if he could give us any explanation on that, and then if the committee are not satisfied I will have a suggestion to make at the next meeting.

Mr. BURNS: Mr. Chairman, when this draft bill and the various measures in connection with it were being considered by the inter-departmental committee, this question of exemptions of income came up. It was necessary to relate the exemptions and the income under the War Veterans Allowance Act with those under the Old Age Assistance Act and the Blind Persons Act. It was pointed out that the income of \$25 in the former Act in section 15 (5) did not appear to be different from other kinds of income which were covered in the general ceiling. For example, you might have one veteran who has an income of \$300 from savings and part of it from superannuation. Leaving the clause exempting \$25 unearned income could have the result that he would have \$25 more than the man who had the whole of his income from superannuation. It did not appear to those who were considering this Act that they should advise the government that there was any case for such a special differentiation; therefore, the \$25 was thrown into the general ceiling, which was increased by \$100. That is the explanation of what happened in this case.

Mr. QUELCH: I believe that General Burns' explanation kind of refutes your argument—

The CHAIRMAN: Refutes?

Mr. QUELCH: Refutes the old argument that at the time \$25 was allowed, it was allowed in order to encourage veterans to buy bonds.

The CHAIRMAN: I do not think it refutes it, I think it ignores it.

Mr. QUELCH: Ignores it then. I am sure that you must have quite a sound basis for that argument; and, therefore, if that is true, that this \$25 was not allowed in order to encourage veterans to buy bonds, it would then now be a breach of faith on our part to deny them that \$25.

The CHAIRMAN: I should make it clear that I said it was a wartime measure. It is brought under the ceiling that is proposed. It was designed as a wartime measure. Whether it was a good thing or not a good thing is beside the point. Several members of the committee know that that was the case.

Mr. HARKNESS: I would like to make things clear on that point as to what General Burns said that the intention in leaving out section (i) was I rather feared that he could have enjoyed \$25 from bonds in addition to the ordinary ceiling and now he is going to be cut out of that. In other words, if he has now this \$25 a month he will be \$15 a month worse off than he was before; and in view of that it would seem to me that he is going to be that much worse off than he was before; and it would seem to me in view of that that we should let this section stand until we have looked into the matter of income to see just what it is going to be.

Mr. CRUICKSHANK: Mr. Chairman, may I ask as a matter of information what is meant by calling this a draft bill? Does that mean that we can amend it at any stage while it is before the committee and before we report it back to the House? Could Mr. Gunn give us some information on that?

The CHAIRMAN: I will answer for him. All of these are draft bills until they have been carried by the House. This is a draft bill which this department has approved and which has been approved by the government for examination of the House, but it does not become in fact a bill in the sense of legislation until it is carried.

Mr. CRUICKSHANK: Exactly, that is my view; it is always open for and subject to amendment while it is in the draft stage.

The CHAIRMAN: Every bill is subject to amendment until it is carried.

Mr. CRUICKSHANK: I wanted to ask Mr. Gunn about that: what the effect of an amendment would be as far as the passing of this bill goes. Could you give me some information on that?

Mr. GUNN: I am inclined to think, Mr. Chairman, that a bill prepared for the House of Commons remains a draft in form until it has received third reading.

Mr. CRUICKSHANK: That means that it is open and subject to revision?

Mr. GUNN: Yes.

Mr. CRUICKSHANK: I just wanted to make sure on that point. I presume we can make a couple of changes in it.

Mr. GREEN: Mr. Chairman, I think General Burns has outlined the position. Apparently there has been an interdepartmental committee to deal with this bill and it is from that committee on which veterans affairs has no controlling voice that we get his recommendation, that the veteran should be put on the same basis as the old age pensioner. And now, as a group of veterans sitting on the veterans affairs committee in earlier years we have taken the position that these old comrades ought to be encouraged to scrape up a little money

to buy victory bonds, and if they can do so, they should be permitted to purchase small amounts of these bonds without having their war veterans allowance reduced. There is a special sort of sentimental feature to this particular clause because it affects the old veteran who wanted to help out in the war, and there is not very much money involved.

Mr. CROLL: Let it stand.

Mr. GREEN: Yes, let the section stand.

The CHAIRMAN: Stands. If the committee will agree I will stand this. Agreed.

Mr. GILLIS: That is the same section on which I would like—

The CHAIRMAN: I am standing the whole section.

Mr. CROLL: Yes.

The CHAIRMAN: Now, it might save time if you would say what you have to say about it now, Mr. Gillis.

Mr. GILLIS: I just wanted to make this statement, or to ask for an explanation in respect to section (f): whether a widow eligible under this bill could receive the war veterans allowance and at the same time receive the mothers allowance or the childrens allowance in the province without it affecting her war veterans allowance. I would like to ask General Burns if there was any consultation with the provinces on the ground that if she did receive the war veterans allowance, the mothers allowance from the province would remain in effect.

Mr. BURNS: Well, Mr. Chairman, the answer could perhaps better be given by the director general of Veterans Welfare Services; but I think it is briefly this, that while some of the provinces are willing to give the mothers allowance to those whom Mr. Gillis has mentioned, other provinces will not do so, unfortunately.

The CHAIRMAN: Shall section 7 carry?

Carried.

Shall section 8 carry?

Carried.

Shall section 9 carry?

Carried.

Shall section 10 carry?

Carried.

Shall section 11 carry?

Carried.

Section 12, child:

Mr. LENNARD: Mr. Chairman, why does a child who has no physical or mental capacity have to reside with the surviving parent in order to get the allowance?

The CHAIRMAN: I will ask Mr. Garneau to answer that.

Mr. GARNEAU: This section, Mr. Chairman and Mr. Lennard, was introduced into the Act in 1948. It was not in the Act before that, and with a view to making it a little less hard for parents, widower or widow, who had a crippled child to maintain, where that child had reached 21 years of age he could no longer be considered a child. The argument in some cases was raised by members of the board that a parent was very loath at times to separate himself from the child and did not want to place him in an institution. The child might be

24 or 27, no longer young, but he wanted to continue to care for him, at home. Yet the allowance had to be reduced to the single rate for that person because the child had reached the age of 21. The Act was accordingly amended to grant the allowance at married rates for those who desired to keep the child with them at home rather than placing him in an institution if such child was unable to earn his living. We now pay these recipients the married rate.

The CHAIRMAN: Carried.

Section 13, suspension of allowance:

Mr. GREEN: Could we have an explanation of that?

The CHAIRMAN: The reference there is to section 28.

Mr. GUNN: Perhaps I might say a word on that. This reference is to section 28 of the present Act, and that reference particularly relates to subsection 9 of section 20 of the Pension Act respecting retroactive pensions. Subsection 9 of section 20 of that Act deals with the case of retroactive payments of pension. Perhaps I had better read it for you because it is likely that some members have not a copy of the Pension Act before them.

(9) If any person who is or has been in receipt of relief or unemployment assistance from the Department is or has been awarded a retroactive increase of pension, the difference between the amount actually paid by the Department and the amount which would have been paid if the increased retroactive pension had been payable when such relief or unemployment assistance was issued shall be a first charge upon the accumulated unpaid instalments of such pension and shall be withheld accordingly.

The principle mentioned in that subsection has been observed over the years by the board but doubts did arise as to their authority to apply that section and this new part of the section—confirms the practice. As a matter of fact it was of sufficient importance within the last year that reference was made to the Department of Justice as to whether or not the board was right in observing that rule set out in the Pension Act and Justice has ruled that they were within their rights in doing so and this merely confirms not only the practice but the law as set out by the Department of Justice.

Mr. CRUICKSHANK: I am merely asking for information on this, but I understand that the Minister of Veterans Affairs and also the Minister of Finance have recorded in the House that if and when this Act is passed it will be retroactive to the first of January.

Mr. GARNEAU: When the Act was passed originally there was a section in the Act compelling us to retain part of the amount, or to recover the amount of retroactive pension that would have caused excess income.

Mr. CRUICKSHANK: Well then, Mr. Chairman, I want to be clear on this. What I am getting at is that it was stated by the Minister of Veterans Affairs and the Minister of Finance that if and when this passes it will be made retroactive to January of 1952.

The CHAIRMAN: If you will look at section 32 of this Act it states there that the Act shall become effective as of the first day of January, 1952. That is clause 32 of this Act.

Mr. CRUICKSHANK: Yes, well then, that would apply under this Act. That is what I wanted to know.

The CHAIRMAN: Did I understand you correctly, Mr. Cruickshank, you are asking whether section 13 would interfere with the retroactive provision to which you referred?

Mr. CRUICKSHANK: I don't know how to express it, but the effect would be the same: he would have the benefit of whatever we pass at this session of parliament, it would be made retroactive to January 1.

Mr. GREEN: Mr. Chairman, as I read the present War Veterans Allowance Act, section 28 reads very clearly that payment of war veterans allowance is not to interfere with pensions at all. The provision is as follows: The right of any veteran to receive a pension under the Pension Act shall not be affected by anything in this Act or by the receipt of any allowance thereunder. That would seem to me to be very clear and I do not understand how the war veterans allowance board can take into consideration any retroactive pension. For example, if a veteran who has a war veterans allowance gets a pension and that pension is made retroactive for 12 months or 18 months surely this section 28 would prevent any deduction being made from that retroactive service pension.

Mr. GARNEAU: We do not recover any amount over or above that which would be exceeding the maximum income permissible under the ceiling because of that retroactive payment of pension.

If a veteran, for instance, received a pension paid retroactively, say, for two or three months, which retroactive payment did not interfere with the maximum income permissible during that veteran's allowance year, there would be no recovery. Recovery is made only in cases where a retroactive payment of pension would cause an allowance to be overpaid.

Mr. GREEN: Well, but under the new section you appear to be going much further in that you bring into effect section 20, subsection 9, of the Pension Act, with the result that there will be deducted from any retroactive pension payment all the war veterans allowance the man has received. That may mean in some cases that his retroactive payment of pension will be wiped out completely. I do not think that is very fair and I would like to have an answer.

The CHAIRMAN: Is there any further discussion?

Mr. CROLL: I gather that what Mr. Green says could possibly happen. It is stretching it a bit but is that not the interpretation that the Justice Department has put on it?

Mr. GUNN: That is right.

Mr. CROLL: They are bound by the interpretation of the Justice Department which confirmed their own views?

Mr. GUNN: That is right.

Mr. CROLL: That has been the practice for some time.

Mr. GREEN: That is not what Colonel Garneau says.

Mr. GARNEAU: Not the retroactive part.

Mr. GREEN: This appears to be a case of other departments stepping in to trim down this legislation.

Mr. CROLL: No, no.

Mr. GREEN: Here you have a clear case where the present section 28 says that the pension is not to be interfered with by war veterans allowance. That means that if a war veterans allowance recipient can qualify for pension then he is entitled to get his pension and to get any retroactive payment that may go to him under the Pension Act; but by making the change contemplated by our new bill then he may lose the whole of that retroactive payment of pension. I would suggest that is very, very different from the present Act. It is a very marked change to the detriment of the veteran and I would suggest that this section be stood over.

The CHAIRMAN: The answer, Mr. Green, to the statement that it is to the detriment of the veteran, is that the effect of this, as it is reported to me, is to regularize that which is already happening. The position of the veteran is unchanged because, as I understand what has been said, Justice has put the interpretation on 28 which is now stated more clearly in 13.

Mr. BROOKS: Mr. Chairman, my understanding of it is that the veteran would be no worse off—that is if he had received his pension back to the date of the retroactive payment. Say it was \$50 for five months—then he would receive \$250, but he has not received it and some other department or some other source pays him \$50 a month. I was just wondering whether one department collects from another when there is a situation of this kind?

The CHAIRMAN: I think perhaps it would be a good idea to clarify this and Mr. Burns might tell us what has been happening?

Mr. BURNS: Suppose a man is in receipt of war veterans allowance of \$50 a month, and has been getting that from the 1st of January. He has applied for pension and is granted a pension. I have given you the new rate of war veterans allowances and that may be confusing so I will say \$40 a month. He is granted a pension of \$20 a month. From January till June is five months and he has received five times \$40 or \$200. The ceiling that he is allowed is an extra \$10. So he receives for the back pension for five months—we will assume the pension is granted from the 1st of January—he receives \$10 of that pension per month up to the ceiling, and the balance is considered as having been paid to him because, if his pension had been in effect all along, he could only have had up to the ceiling and the rest would be deducted from the war veterans allowance. So, the practice that is followed by the Treasury Department in issuing cheques for retroactive pension is to put him up to the amount that he could have had—up to the ceiling for war veterans allowance.

Mr. CRUICKSHANK: It is not quite clear to me yet. I cannot follow the deputy minister through.

Presume he was receiving a disability pension of \$20, and that it was made up by war veterans allowance to \$40. My understanding, and the understanding of the Legionaries I represent, is that if this is increased to \$50 he is going to get that from January 1st with no 'ifs', 'ands' or 'buts' about it.

I do not care a hang what the Treasury Board says. If we pass an Act surely we are passing it and not the Treasury Board. As I understand it, and I will use these figures, the veteran who gets a \$20 a month disability pension and up to a total of \$40 by war veterans allowance, will receive \$50 back to January 1st if this Act increases it to \$50. Therefore, as I understand it, he would get for five months an extra \$10. That is my understanding and it is certainly what I told the veterans in my riding. I know too that it is the understanding of the Legionaries in the entire province of British Columbia. They do not understand that there is going to be any of this Treasury Board taking it back if the Act passes it at \$50 a month.

Mr. BURNS: I think my illustration may have confused Mr. Cruickshank and I am sorry if that is the case. I think that actually the last section of the Act does provide that the additional amounts payable under the proposed increased ceiling will go back to the 1st of January of this year and, consequently, your understanding is correct.

I was trying to describe what has been the effect and what has been the situation previous to the passing of the present Act—what has been the procedure in making deductions when there has been a retroactive payment of pension authorized to a man who has been receiving war veterans allowance.

Mr. GREEN: May I go back to General Burns' illustration? I understood him to say that under the old Act if a single veteran had been getting \$40 war veterans allowance from the 1st of January and then, in June, qualified for a pension of \$20 a month retroactive to the 1st of January he would—

Mr. MACDOUGALL: Qualified for an additional \$20 by virtue of a disability pension?

Mr. GREEN: Yes, retroactive to the 1st of January—he would not get that full \$20 for the five month period because to do so would throw him over the war veterans allowance ceiling; but he would get \$10 a month—a total of \$50. I understand that is the ruling under the present Act?

The CHAIRMAN: Under the Act as it is.

Mr. BURNS: Assuming the veterans allowance year started on the 1st of January.

Mr. GREEN: Yes. Then, let us take the Act as amended with this new section 13. If section 13 becomes law, the veteran qualifies in just the same way. He has been getting \$40 a month for the first five months of this year. He qualifies for a \$20 a month pension and that is made retroactive to the 1st of January. Under this new section you have to take away from that \$100 of retroactive pension whatever amount he has received by way of war veterans allowance—and he has had \$200 by way of war veterans allowance for the first five months. Therefore, he gets no retroactive pension at all?

Some Hon. MEMBERS: No, no.

Mr. JUTRAS: You are confusing the amounts.

Mr. CROLL: They do not agree with you, Mr. Green.

Mr. GREEN: I think in practice it is right. You have got to read section 20 of the Pension Act.

The CHAIRMAN: You are ignoring the permissive \$10 a month.

Mr. GREEN: This proposal, the new section, applies to pension. It does not apply to war veterans allowance; it applies to the pension; and it says that he cannot get any retroactive payment of pension if he had war veterans allowance up to that amount. That is set out in subsection 9 of section 20 of the Pension Act which says:

If any person who is or has been in receipt of relief or unemployment assistance from the department . . .

and that will now be broadened under this new section to include the war veterans allowance—" . . . is or has been awarded a retroactive increase of pension, the difference between the amount actually paid by the department and the amount which would have been paid if the increased retroactive pension had been payable when such relief or unemployment assistance was issued shall be a first charge upon the accumulated unpaid instalments of such pension and shall be withheld accordingly."

Mr. JUTRAS: What are you reading from, the regulations?

Mr. CROLL: No, that is the Pension Act.

Mr. GREEN: I submit that if we let this section 13 go worded as it is now, then we make the veteran subject to the provisions in the Pension Act, and the department will have to deduct from the amount of his pension which was made retroactive whatever he has had by way of war veterans allowance; and in many cases that will mean that he will get no retroactive pension at all.

It is a very drastic change from the present section which is being administered in such a way that the only restriction on his retroactive pension comes by way of cutting down his war veterans allowance if he goes over the ceiling.

Mr. BURNS: I think what would happen, to use Mr. Green's illustration of a man who has been receiving \$40 a month since the beginning of January and gets a \$20 pension award now, is that when the new ceilings are put into effect—

Mr. GREEN: Do not mix up the new ceilings. Argue it out on the old ceiling.

Mr. BURNS: Assuming the old ceiling is still in effect, that man would still receive \$50—that is \$10 a month to bring him up to the ceiling under war veterans allowance.

Mr. GREEN: You cannot pay it legally because this very section of the Pension Act prohibits you. You have got to take out of his retroactive pension whatever amount he has had by way of war veterans allowance.

Mr. CROLL: No, just the difference.

The CHAIRMAN: In that case.

Mr. DICKEY: It says: "... the difference between the amount actually paid by the department and the amount which would have been paid if the increased retroactive pension had been payable ..." That is what is deductible—not the full amount of retroactive pension. It is the difference between them.

Mr. GREEN: That is comparing another system such as unemployment assistance, setting that off against any retroactive part of the pension. Now we are going to have the same thing with war veterans allowance.

Mr. GUNN: May I just say again that there is really no change in the law by reason of the introduction of that exception.

Mr. GREEN: Why are you writing it into the section?

Mr. GUNN: Merely to tidy up an apparent but not real difference between this Act and the Pension Act. The Pension Act is the one that governs after all. That section makes it necessary for an adjustment to be made and the exception was merely put in here at this time, at this revision, to make it perfectly clear that there was that distinction—that there was that right on the part of the pension board to make that deduction. It does not change the law one iota in my opinion, but merely makes it apparent or makes it clear that it does exist.

Mr. GREEN: I suggest the section be stood for further consideration?

Mr. CROLL: Why?

Mr. GUNN: May I just make this additional remark. If we dropped the exception and left the wording in exactly the same tenor that it was previously it would have the same effect. As I said before, the exception merely tidies up the difference between the two Acts.

Mr. MACDOUGALL: It is only for clarification.

Mr. GREEN: I do not think it is. Why not leave the section as it was.

The CHAIRMAN: Well, shall the section carry?

Mr. HOSKING: I would just like to ask one question. I would like to hear an answer to Mr. Brooks' question. What happens in his case to the \$50? Is that credited to the war veterans allowance? For five months the amount in all is \$100. The veteran gets \$50 and there is \$50 left over. Does the war veterans allowance branch get paid that amount by the Treasury? Do they get any credit for it?

Mr. BURNS: No, the Treasury receive notice, as I understand it, that veteran Joe Doakes has been granted a pension of \$20 a month. They examine his file and see he has been getting war veterans allowance of \$40 a month. Consulting the war veterans allowance board, or operating by their own knowledge of the regulations, they see that he is entitled to \$50 of back pension. They therefore issue a cheque for that amount and that is all that is shown charged against the consolidated revenue.

The CHAIRMAN: Shall the clause carry?

Carried.

Clause 14?

14. (1) Where a recipient of an allowance absents himself from Canada, payment of his allowance shall be suspended immediately following the payment for the month in which he so absents himself, but may be resumed when he returns; and where the recipient returns to Canada within six months from the time he left Canada, the allowance upon being resumed may also be paid for a period of such absence not exceeding three months in any calendar year.

(2) Where a recipient of an allowance is convicted of an offence and sentenced to a term of imprisonment exceeding thirty days, payment of his allowance shall be suspended when the term of imprisonment commences, but may be resumed upon the release of the recipient from imprisonment.

(3) Where a recipient is maintained at the expense of the Department as an inmate of any institution, payment of his allowance shall be suspended during the time he is so maintained, except that the District Authority may, in its discretion, continue payment, for a period not exceeding three months in any period of twelve consecutive months, of part of the allowance to a recipient without dependants where he would suffer hardship if no part of the allowance were paid.

(4) Notwithstanding anything in this section, the District Authority may, in its discretion, continue payment of part of the allowance to the dependants of any recipient described in this section for a period not exceeding twelve months when such recipient is serving a term of imprisonment or for such time as the recipient is being maintained at the expense of the Department as an inmate of any institution.

Mr. GILLIS: I agree that a man going absent from the country should be handled in the way that section 1 of clause 14 suggests, but I would like to ask General Burns whether a veteran in receipt of veterans allowance can apply to the department for permission to leave the country for say six months, and still receive his allowance?

Mr. GARNEAU: We do not require him to apply. We ask him to notify the district authority when he leaves the country—if he wants to go to the United States or across to England—and his allowance must then be suspended while he is absent from Canada. At the present time, if he returns within three months and reports back, naturally with proof of date of his return his allowance is immediately placed back into payment and the amount withheld during the three months absence is recredited to him. If he is away over three months we withhold his allowance for every additional month of absence from the country.

Mr. GILLIS: I can understand the necessity for that if a person just goes on a visit or a pleasure cruise, but a veteran in that category perhaps has to go to the United States for medical treatment—treatment that he cannot obtain in Canada. If he makes application that he is entering an institution can he receive the allowance to help defray his expenses in that country while he is there, or are the regulations mandatory—with no discretion at all, applying to everyone regardless of their reason for leaving the country?

Mr. GARNEAU: I am afraid that is the case. We give them three months and during that three months the veteran may receive his allowance no matter what reason he may be away for. However, if his absence in any given year exceeds that three months, no matter what the reason may be, we have to suspend the allowance for every additional month.

Mr. CRUICKSHANK: Would that happen if he went to Cape Breton?

Mr. JUTRAS: I take it this is the same regulation that exists in the Old Age Pensions Act. When a veteran returns what proof do you require of his return? What is the procedure there?

Mr. GARNEAU: Nothing complicated. The very fact that he reports in person or in writing, if it can be verified, indicates that he has returned home. He might live 50 miles from the district office and would write in saying that he has returned. The veteran generally finds a way of getting in contact with the department and there is nothing complicated there. The veteran re-applies for resumption of his allowance and immediately the district authority, formerly the board, draws up a very short form of re-instatement, noting the date of his return and placing the allowance back in payment for the full time of his absence, and it carries on from there.

Mr. JUTRAS: The reason I asked is that I had a case last year under the Old Age Pensions Act which is under the same kind of a regulation. In that particular case the old age pensioner returned to Canada by way of Ontario where he had some relatives. He visited relatives there for two months before returning back to Manitoba and then he did not report back to the old age pensions people in Winnipeg for seven months afterwards. He was turned down on the ground that he had been away more than six months. They told him how he should have obtained a written statement from the officials when he crossed the border stating that he was coming back into Canada. He had not done that and could not locate the officer, could not remember his name, so he was stuck. I was just wondering, in the case of the veterans allowance, if you were dealing in that way with veterans?

The CHAIRMAN: The war veterans allowance people are much more reasonable.

Mr. LENNARD: This is a broadening of the Act. There is a section here which was not in the old Act.

Mr. GARNEAU: It is spelling it out, so to speak—spelling out the board's present practice.

Mr. LENNARD: Prior to this, if a veteran was absent from the country for any length of time his allowance was stopped.

Mr. GARNEAU: It is stopped when he is actually away from the country because the allowance is not payable out of Canada.

Mr. LENNARD: It says here "resident out of Canada" and it does not make any qualification as to how long he is out or under what conditions?

The CHAIRMAN: What it actually is doing, Mr. Lennard, is enacting in legislation what has been the practice of the board by regulation.

Mr. JUTRAS: Must the recipient notify the board before leaving?

Mr. GARNEAU: It is not essential but he will have to establish, when he returns, on what date he left. It is much more simple to notify the district authority, as many do, that he is, for instance, sailing for England on the 5th of June. That might be on the 25th of May and action is taken to suspend his allowance as from that date.

The CHAIRMAN: Shall the clause carry?

Carried.

Clause 16?

Carried.

Clause 17?

Carried.

Clause 18?

Carried.

Clause 19?

19. Where a person has received or obtained an allowance payment to which he was not entitled, the amount thereof may be recovered at any time as a debt due to the Crown.

Mr. QUELCH: That is tightened up. I understand at the present time the Department of Justice has ruled that the Department of Veterans Affairs cannot recover where there has been no fraud on the part of the recipient. They can now recover where there is overpayment even though there may be no fraud.

Mr. GUNN: Mr. Chairman, it is not quite true that the department has ruled in the manner stated.

Mr. QUELCH: I was just quoting from the Legion brief in that case.

Mr. GUNN: I am afraid they have not got the whole point. There was a ruling of that kind but it only applied in the case where a person had been in receipt of allowances, regular allowances under the Act for say eight or nine months, and then for three months he got work at a fairly remunerative rate. Then, in the twelfth month he went back on the allowances and there is where the rub occurred. During the three months he had got beyond the prescribed ceiling amount for the year. And the ruling had to do with the proposition of trying to recover your money. It was not attempted, as a matter of fact, but the point came up whether or not the board was entitled to recover from him the amount by which those three months of remunerative employment had put him beyond the ceiling for the year and that is the case upon which that ruling which has been referred to arose.

The Crown still has the right, it is a right of prerogative, to collect any moneys that are wrongfully paid to any citizen, I suppose. It is not unusual and we are not departing from any well recognized principle now. As a matter of fact, if that section were not in the Act at all, the Crown could still recover payments that were made by mistake or otherwise.

Mr. GREEN: Well, Mr. Gunn, the present section reads:

(3) The amount of any payments of allowance made by reason of wilful nondisclosure of facts or of fraudulent misrepresentations shall be recoverable from the recipient as a debt due to the Crown.

Now, that provision has been in the Act for many years, has it not?

Mr. GUNN: That is so, Mr. Green, yes.

Mr. GREEN: And has covered practically all of your cases.

Mr. GUNN: No, I would not say that, Mr. Green. I might say, Mr. Chairman, that the department has had to recover moneys that were not paid out as a result of fraud on the part of the recipient, but by mistakes of various kinds and with no fraudulent intent at all on the part of the recipient, but it is true, as Mr. Green points out, Mr. Chairman, that that section has been in the Act for a good many years and by the fact that it does refer to fraud it does raise the inference that is not really justified that the Crown cannot collect in any civil case. The Crown does collect. The wording has been changed here to clarify the situation so that no person can ever think that only in cases of fraud may the Crown recover its money.

Mr. GREEN: Colonel Brooks has just reminded me. I think on one of the earlier committees we had here a debate about that word "wilful" and insisted that it should be included in the Act but now this present change wipes out all this protection for the veteran and I doubt very much whether it is wise to do that.

The Legion have made a particularly strong recommendation on this section. They said:

We would draw the committee's attention to section 19 of the bill. This goes much further than subsection 3 of section 25 of the present Act. Under that section of the present Act the Department of Justice has ruled that D.V.A. cannot recover where there had been no fraud

on the part of the recipient. Insistence on repayment where there has been no fraud would work great hardship. We therefore recommend that the clause as it now stands in the present Act be retained.

If practically all of your cases in which the board feels that there should be recovery are now protected, I wonder why it is necessary to make this change.

Mr. GUNN: Well, merely to clarify, as I said before, what is the law, Mr. Chairman. If we want to change the law and say that no moneys shall be collected unless there is fraud, that is a different proposition. I think the Crown would be quite within its rights to do that.

Mr. JUTRAS: Mr. Gunn, we go back to the sentence in the brief of the Legion, which says that: "Under that section of the present Act the Department of Justice has ruled that the Department of Veterans Affairs cannot recover where there had been no fraud on the part of the recipient."

I understood you to say a while ago—well, you questioned what the Department of Justice had ruled. I understood you to say that in spite of the fact that the section read, section 25 (3):

The amount of any payments of allowance made by reason of wilful non-disclosure of facts or of fraudulent misrepresentations shall be recoverable from the recipient as a debt due to the Crown

in spite of the fact that they only mentioned "wilful non-disclosure of facts or of fraudulent misrepresentations", it is a fact that the Department of Justice have ruled that any money that the Crown is deprived of by any means whatsoever they can recover.

Mr. GUNN: I do not know that the Department of Justice has ever ruled in words to that effect. I think that all lawyers will agree with me that after all it is a matter of creditor and debtor and the Crown does not ordinarily lose its rights as a creditor. If it has the right to recover moneys in court, then it can certainly recover them.

While I am on my feet I might say, Mr. Chairman, that from my observation over the years the board has never attempted in any large way to recover moneys that have been paid out as the result of some innocent mistake on the part of either the recipient or the department. Very, very few cases have come to my attention. It is true that over the years the fraud principle has been kept in mind by the board and in the other cases where there is an innocent mistake on the part of either the administration or the recipient, the board has very seldom ever taken the case to court.

Mr. LENNARD: Would that be their attitude in the future?

Mr. GUNN: I think so.

Mr. GREEN: That is why I doubt the wisdom of making the change. These cases are always unpleasant and under the present law the board only moves in where there has been fraud, and in such a case there cannot be much objection. I mean there cannot be much complaint made about the board moving in, but by making this change, we wipe out completely the fraud and misrepresentation provision and put it simply on the basis of an overpayment, and I think the board will, as the result, have to be a good deal tougher about making claims for repayment, and unless Colonel Garneau has found that he requires such a change in the Act, I suggest that we should not recommend a very drastic change of this type.

Perhaps Colonel Garneau could tell us whether he has had any difficulties by reason of the Act reading, "wilful non-disclosure of facts or of fraudulent misrepresentations".

Mr. GARNEAU: May I ask you to repeat just your last question, Mr. Green?

Mr. GREEN: Have you had any difficulties because of the fact the Act at present reads: "wilful non-disclosure of facts or of fraudulent misrepresentations"?

Mr. GARNEAU: Well, we have had some difficulty in the past in a number of cases where it was not quite clear, or where it was fairly difficult to establish that the veteran or the recipient himself was actually guilty or not of wilful non-disclosure. There were cases where the Board felt that recipients did not abide by the instructions they received to notify us of any change in their circumstances, of the receipt of an inheritance, of substantial sums of money, or that they were working, and pleaded afterwards that they did notify us but their letters were lost in the mail, or invoked other various reasons for their apparent failure to disclose a change in their circumstances. We felt, without actually trying to be tough, so to speak, that they had not played the game and notified us, as they should, of those changes in circumstances as they had undertaken to do when making application, and of which undertaking they are reminded when notified of an award and also when the investigators call upon them on a routine visit. It was very difficult at times to actually prove such cases in court when, I must admit, we would have liked to do so or to actually collect the apparent overpayment created thereby. But just because there was only what you might call circumstantial evidence we felt that the recipient had not played the game.

So I think this section as it now reads will still give the board plenty of latitude in the matter of interpretation in its application, and we do not propose, at least as far as I can speak for my own board, to be any more hard boiled about it or act more as a collecting agency than we did in the past, but it probably would be easier to deal with that type of case where the recipient really has tried to dodge the issue or get around the corner.

Mr. QUELCH: Mr. Chairman, isn't it actually a fact that the Act today is actually being administered as though section 19 were worded as in the proposed new Act?

Mr. GARNEAU: Yes.

Mr. QUELCH: I have in mind this fact. I know several cases where a veteran had a little interest in a farm out in a dry area. As a rule he had practically no income from that farm. Then one year there is a little crop and he gets in about \$300 or \$400 in the month of December. Then, I presume he receives a questionnaire to be filled out and in that questionnaire he discloses the fact that he has received \$400.

Now, there has not been any fraud or wilful non-disclosure because when the questionnaire was received and filled out he showed that he received \$400 but then he receives a letter back saying that he had received an overpayment due to the fact that his income was in excess of the ceiling by \$200 or \$300 and they had docked him at the rate of \$5 or \$10 a month on the allowance for the next year. So I say that section 19 as now worded actually is what the board is doing at the present time.

Mr. GARNEAU: Yes, that is right.

The CHAIRMAN: Shall the section carry?

Carried.

Section 20—penalties.

Gentlemen, it is 6 o'clock. We are just halfway through this bill; we have two more. Would it suit the convenience of the committee to sit tonight from 8 to 10?

Then, we will meet on Thursday at 4 o'clock and probably, if we are not finished, we might sit twice on Thursday?

Canada, Veterans Affairs, Special
Committee, 1952

HOUSE OF COMMONS

Sixth Session—Twenty-first Parliament, 1952

SPECIAL COMMITTEE

ON

VETERANS AFFAIRS

Chairman: L. A. MUTCH, Esq.

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 8

THURSDAY, JUNE 12, 1952

TUESDAY, JUNE 17, 1952

Bill 181, An Act respecting Allowances for War Veterans and their Dependants;

Bill 182, An Act to amend The Veterans Benefit Act, 1951;

Bill 183, An Act to amend The Veterans Insurance Act;

Bill 334, An Act to amend The Army Benevolent Fund Act, 1947.

AND REPORT THEREON.

WITNESSES:

Mr. E. L. M. Burns, Deputy Minister; Mr. W. G. Gunn, Q.C., Director Legal Division; Mr. C. F. Black, Superintendent of Insurance; Mr. E. J. Rider, Director of Research, Department of Veterans Affairs; and Mr. H. C. Chadderton, Secretary, Army Benevolent Fund.

ORDERS OF REFERENCE

THURSDAY, June 12, 1952.

Ordered,—That the name of Mr. Henderson be substituted for that of Mr. Langlois (*Gaspé*) on the said Committee.

Ordered,—That the name of Mr. Larson be substituted for that of Mr. MacDougall on the said Committee.

Ordered,—That the name of Mr. McCusker be substituted for that of Mr. George on the said Committee.

TUESDAY, June 17, 1952.

Ordered,—That the name of Mr. George be substituted for that of Mr. McCusker on the said Committee.

Ordered,—That Bill No. 334, An Act to amend The Army Benevolent Fund Act, 1947, be referred to the said Committee.

Attest.

LEON J. RAYMOND,
Clerk of the House.

REPORT TO THE HOUSE

WEDNESDAY, June 18, 1952.

The Special Committee on Veterans Affairs begs leave to present the following as its

THIRD REPORT

Your Committee considered the following Bills and agreed to report the said Bills without amendment:

Bill 182, An Act to amend The Veterans Benefit Act, 1951;

Bill 183, An Act to amend The Veterans Insurance Act;

Bill 334, An Act to amend The Army Benevolent Fund Act, 1947.

Your Committee also considered Bill No. 181, An Act respecting Allowances for War Veterans and their dependants, and has agreed to report the said Bill with an amendment.

Your Committee considered certain other proposed amendments to Clauses 3, 6 and 31 of the said Bill, but as these amendments would result in an increased charge upon the public, your Committee is of the opinion that it has no option, under the Rules of the House and the terms of its Order of Reference, but to report the said clauses without amendment. Your Committee would, however, recommend that the Government give consideration to the advisability of introducing the following amendments to Bill 181:

1. That in paragraph (a) of subclause one of clause three the words "sixty-five" be deleted and the word "sixty" substituted therefor;

2. That subclause one of clause six be amended by inserting after paragraph (h) the following:

(i) interest on bank deposits and bonds and dividends on shares in the capital stock of any company to the extent of twenty-five dollars per annum from all such sources;

and by relettering the present paragraph

(i) as paragraph (j);

3. That subclauses two and three of clause thirty-one be deleted and the following substituted therefor:

31. (2) Every person who, immediately prior to the coming into force of this Act, was in receipt of an allowance under The War Veterans' Allowance Act, 1946, may be paid an additional allowance equal to the amount that he would have been eligible to receive under this Act in respect of the period between the first day of January, nineteen hundred and fifty-two, and the coming into force of this Act, if this Act, except section four, had been in force during that period, less any amount that he was eligible to receive under The War Veterans' Allowance Act, 1946, in respect of that period.

(3) Every person

(a) who was awarded an allowance under The War Veterans' Allowance Act, 1946, whose allowance was discontinued and was not being paid immediately prior to the coming into force of this Act, for the reason that the amount of his income rendered him ineligible for the allowance, or

- (b) who, prior to the coming into force of this Act, applied for an allowance under The War Veterans' Allowance Act, 1946, but was not granted the allowance for the reason that the amount of his income rendered him ineligible for such an allowance,

may apply for and be granted an allowance in respect of the period between the first day of January, nineteen hundred and fifty-two, and the coming into force of this Act equal to the amount that he would have been eligible to receive under this Act in respect of that period if this Act, except section four, had been in force during that period, less any amount that he was eligible to receive under The War Veterans' Allowance Act, 1946, in respect of that period.

Your Committee further recommends to the Government continued and sympathetic study of the needs and requirements of recipients of War Veterans' Allowance, keeping in mind the recommendations of Veterans' Organizations in that respect and particularly with regard to permissive income.

A Reprint of Bill 181 has been ordered.

A copy of the evidence adduced on all matters referred to your Committee is appended hereto.

All of which is respectfully submitted.

D. A. CROLL,
Acting Chairman.

MINUTES OF PROCEEDINGS

THURSDAY, June 12, 1952.

The Special Committee on Veterans Affairs met at 4.00 o'clock p.m. this day. Mr. Mutch, Chairman, presided.

Members present: Messrs. Balcom, Bennett, Blair, Brooks, Carter, Corry, Cruickshank, Gillis, Green, Harkness, Henderson, Hosking, Jutras, Larson, Lennard, McCusker, McLean (*Huron-Perth*), McWilliam, Mott, Quelch, Tremblay, Weaver.

In attendance: Mr. E. L. M. Burns, Deputy Minister; Mr. W. G. Gunn, Q.C., Director, Legal Division, Department of Veterans Affairs, and Mr. F. J. G. Garneau, Chairman, War Veterans Allowance Board.

The Committee resumed consideration of Bill 181, An Act respecting Allowances for War Veterans and their Dependents.

The Chairman called Clause 6, which had been allowed to stand at the previous meeting.

The Chairman laid before the Committee a proposed amendment to subclause (1) of Clause 6, as follows:

That subclause one of clause 6 be amended by inserting after paragraph (h) the following:

(i) interest on bank deposits and bonds and dividends on shares in the capital stock of any company to the extent of twenty-five dollars per annum from all such sources.

—and by relettering the present paragraph (i) as paragraph (j).

The proposed amendment was considered and adopted.

Thereupon the Chairman informed the Committee that as the proposed amendment involved an increased charge upon the public, the Committee was not competent to amend the said clause but that a recommendation would be included in the report to the House recommending the proposed change.

Clause 6 was adopted.

The Chairman then called Clause 20.

Clauses 20 to 29 inclusive were severally considered and adopted.

On Clause 30:

Mr. Cruickshank moved:

that recommendation be given to reconsidering the matter of Imperial Widows whose husbands died without eligibility under War Veterans Allowance.

And the question being raised as to whether the proposed motion was in order, the Chairman ruled that the proposed motion was in order as it did not in any way conflict with the recommendation previously adopted by the Committee.

After discussion, and the question having been put, the motion was negatived.

Clause 30 was adopted.

On Clause 31:

The Chairman laid before the Committee a proposed redraft of Clause 31. Clause 31 subclauses (1) and (4) to remain unchanged; subclauses (2) and (3) to be deleted and the following substituted therefor:

31. (2) Every person who, immediately prior to the coming into force of this Act, was in receipt of an allowance under The War Veterans' Allowance Act, 1946, may be paid an additional allowance equal to the amount that he would have been eligible to receive under this Act in respect of the period between the first day of January, nineteen hundred and fifty-two, and the coming into force of this Act, if this Act, except section four, had been in force during that period, less any amount that he was eligible to receive under The War Veterans' Allowance Act, 1956 in respect of that period.

(3) Every person

(a) who was awarded an allowance under The War Veterans' Allowance Act, 1946, whose allowance was discontinued and was not being paid immediately prior to the coming into force of this Act, for the reason that the amount of his income rendered him ineligible for the allowance, or

(b) who, prior to the coming into force of this Act, applied for an allowance under The War Veterans' Allowance Act, 1946, but was not granted the allowance for the reason that the amount of his income rendered him ineligible for such an allowance,

may apply for and be granted an allowance in respect of the period between the first day of January, nineteen hundred and fifty-two, and the coming into force of this Act equal to the amount that he would have been eligible to receive under this Act in respect of that period if this Act, except section four, had been in force during that period, less any amount that he was eligible to receive under The War Veterans' Allowance Act, 1946 in respect of that period.

The Chairman informed the Committee that, as the proposed amendment to Clause 31 involved an additional expenditure of money on the part of the Crown, it was not competent for the Committee to make an amendment, but that a recommendation to that effect would be contained in the Report to the House on the Bill.

The redraft of Clause 31, subclauses (2) and (3), was adopted.

Clause 31 was adopted.

Clause 32 was considered and adopted.

On Schedules "A" and "B":

Mr. Lennard moved:

That it is the opinion of this Committee the Government should give consideration to increasing the amounts specified in Schedule "A" and Schedule "B".

And the question being raised as to whether the proposed motion was in order, the Chairman ruled the said motion out of order on the ground that it was substantially the same as a resolution previously negatived by the Committee.

Schedules "A" and "B" were considered and adopted.

The Title was adopted.

The Bill as amended was adopted.

It was agreed that the first order of business at the next meeting would be the consideration of the Committee's Report to the House on Bill 181.

At 6.05 o'clock p.m. the Committee adjourned to meet again at 4.00 o'clock p.m., Tuesday, June 17, 1952.

TUESDAY, June 17, 1952.

The Special Committee on Veterans Affairs met at 4.00 o'clock p.m. this day.

The Committee having been informed of the unavoidable absence of the Chairman, due to illness, Mr. D. A. Croll was chosen as Acting Chairman.

Members present: Messrs. Balcom, Bennett, Blair, Brooks, Corry, Cruickshank, Dickey, Dinsdale, George, Gillis, Green, Harkness, Henderson, Herridge, Hosking, Jutras, Lennard, McLean (*Huron-Perth*), McWilliam, Quelch, Roberge, Ross (*Souris*), Thomas, Tremblay, Weaver.

In attendance: Mr. E. L. M. Burns, Deputy Minister; Mr. W. G. Gunn, Q.C., Director, Legal Division; Mr. C. F. Black, Superintendent of Insurance; and Mr. E. J. Rider, Director of Research, Department of Veterans Affairs; and Mr. H. C. Chadderton, Secretary, Army Benevolent Fund.

The Committee considered Bill 183, An Act to amend The Veterans Insurance Act.

Mr. Burns was called and made a statement in explanation of the Bill.

Mr. Black was called, made a statement on the operation of Section 10 of the Act, was questioned thereon, and retired.

Clauses 1 and 2 and the Title were severally considered and adopted, and the Acting Chairman ordered to report the said Bill to the House without amendment.

The Committee then considered Bill 182, An Act to amend The Veterans Benefit Act, 1951.

Mr. Burns made a statement in explanation of the Bill and was questioned thereon.

Clause 1 and the Title were considered and adopted, and the Acting Chairman ordered to report the Bill to the House without amendment.

The Committee then considered Bill 334, An Act to amend The Army Benevolent Fund Act, 1947.

Mr. Chadderton was called, made a statement in explanation of the Bill, was questioned thereon, and retired.

Clauses 1 and 2 and the Title were severally considered and adopted, and the Acting Chairman ordered to report the said Bill to the House without amendment.

Thereupon the Acting Chairman laid before the Committee a draft report on Bill 181 for consideration.

After discussion the report was adopted and the Acting Chairman ordered to report the said Bill to the House with an amendment.

On motion of Mr. McWilliam:

Ordered,—That Bill 181, An Act respecting Allowances for War Veterans and their Dependants, be reprinted.

The Chairman then laid before the Committee the following document which was ordered to be printed as an Appendix to this day's evidence: "A Study of those Veterans granted War Veterans Allowances during 1934 and 1935". (*See Appendix "A"*).

Mr. Rider was called, made a statement in explanation of the said document, was questioned thereon and retired.

The Acting Chairman expressed to all witnesses who had appeared before the Committee, the appreciation of the Committee for their help and assistance.

At 5.30 o'clock p.m. the Committee adjourned sine die.

R. J. GRATRIX,
Clerk of the Committee.

EVIDENCE

June 12, 1952.

4.00 p.m.

The CHAIRMAN: Gentlemen, we have a quorum.

When the committee rose at our last meeting, we were on section 20, but perhaps before we go on with section 20 you will remember that we let section 6 stand, because one of the members of the committee, I think it was Mr. Harkness, drew my attention to the fact that (j) had been omitted; and at the time I suggested that it stand in order that I might make some further examination. I think the deputy would just like to say a word. To put it formally, we are going to put it back.

Mr. BURNS: Mr. Chairman, I have been instructed by the minister to inform the committee that he has consulted his colleagues in regard to this matter and it is proposed to introduce an amendment to section 6 which will have the effect of putting back the provisions of section 13 (j) of the old Act. There has been a change in the wording in the interest of clarity but the actual effect will be exactly the same. Copies of the proposed amendment are being circulated now.

The CHAIRMAN: While they are being circulated I think perhaps I should read the amended section:

It is proposed to amend subsection one of section 6 by inserting after paragraph (h) the following:

- (i) interest on bank deposits and bonds and dividends on shares in the capital stock of any company to the extent of twenty-five dollars per annum from all such sources;

Paragraph (i) of Bill to be redesignated as (j).

You will note that the purpose of the amendment is to broaden, the effect of the amendment is to broaden somewhat the granting of the \$25 allowance which was granted in connection with the purchase of federal bonds.

Shall the section as amended carry?

Mr. GREEN: Has any thought been given to making it \$50 instead of \$25 as was suggested?

The CHAIRMAN: Yes, consideration has been given to it. I think perhaps the main difficulty that arises from the consideration of that is this, that if you raise it—it is a special privilege—it is a special privilege as it is, and you run into people with small income, and it will be pretty hard if you attempt to put it beyond what it is to exclude that and the effect of it would be to breach the ceiling; and I think the government feels that a breach of the ceiling would not be a proper approach. We are bringing this back in not because we did not think that former clause was broad enough to do it but there is a pretty well established principle of veterans legislation that once any income has become an integral part of any man's living, we do not want to disturb it. But the government felt it would broaden it too much to lift it to \$50 and it would bring into the class a great many pensioners and others who would not be eligible, and it would make an invidious comparison.

Mr. HARKNESS: Mr. Chairman, I am glad that "J" is restored in a somewhat broadened form. I have a question about subsection 2, which is the value of a house. I have had representations from a number of veterans in connection

with this matter. It is on this line, that the present price of a house, let us say \$4,000, is practically useless in a very large number of cases. I am glad to see that this has been increased from \$4,000 to \$6,000 for the value of the house which a recipient may have without consideration being given to it as far as reducing his war veterans allowance is concerned, but I do not think that even \$6,000 is adequate. How is that value to be determined? Is it set on the assured value of the house or is the valuation put on by an official of the department, or upon what basis is the valuation established?

The CHAIRMAN: Before I answer that I think I should mention that members of the committee will remember that back in 1938 I think it was \$2,000; then it was raised to \$4,000, and now it has been raised to \$6,000; it has been trebled since the beginning of World War II, so that in general it has advanced more quickly than many of the other benefits. That has been the effect of the work of this committee. It was raised, as I say from \$2,000 to \$4,000—it was more than doubled—and now it has been raised to \$6,000.

Mr. GARNEAU: The present practice of the board in respect to the value of houses is to take the appraised value of that property or the capital value you might say represented by the amount of actual investment in that property. That is the yardstick that we have used in the past and which eliminated for instance the mortgage which was attached to that property—a man may have bought a \$6,000 property and perhaps only have \$3,000 paid on it, or \$4,000—we looked at it from the standpoint of his capital invested in that property.

The CHAIRMAN: Thank you, Mr. Garneau.

Mr. HARKNESS: Mr. Chairman, there are certain difficulties arising in connection with this matter. For example, in the city I come from the cost of houses has more than doubled, considerably more than doubled. For instance, before the war the assessed value of property which was actually purchased at \$2,000 or \$3,000—the assessed value is still at that figure. The same house if it were purchased within the last two years perhaps might have cost \$10,000 to \$15,000. I actually know of cases of houses having been bought at some of these figures. The result is that a man who has bought a house say during the past five years possibly paid \$10,000 for it—an exactly similar type of house and one of the same value on the market as that which was purchased before the war for \$2,500 and which has an assessed value today of \$2,000, something of that nature. So, as a result we have one veteran whose house is not taken into consideration and another one whose house is. And I would suggest that this clause would be improved by making it read something along this line: the \$6,000 value of the property shall be the assessed value or the appraised value whichever is the lesser. That I think would tend to equalize this to a considerable extent; certainly it would in my city. I don't know whether the same situation applies in all the cities, but in the city from which I come I know it does to some extent.

The CHAIRMAN: I would be afraid, Mr. Harkness, that the amendment might make the discrepancies even wider because of the assessed values even within one area—I can think of cases in my own constituency—the difference in some cities, the parts of it that would go over into the urban development, the suburbs and parks, and the assessed value there would be definitely out of line. It has not been the experience of the department that very many people who are eligible for the war veterans allowance are living in \$10,000 houses, or have \$6,000 equity. The chairman of the board tells me that as far as they are concerned it is not a condition which normally arises. If you had uniform assessment across the country I would be inclined to think that the point Mr. Harkness raises might have some validity but I suggest to you that the difficulties we might get into would be perhaps quite as involved as what we have.

Mr. HARKNESS: Well, Mr. Chairman, I realize the difficulty over assessment and that is the reason I raised it myself. There are even variations of assessment in my own city and I suppose in every other; but what you say in connection with veterans not living in houses that have a sale value at the present time of \$10,000, as far as Calgary is concerned if they don't live in one which has a sale value of even \$6,000, they haven't got a house at all. As a matter of fact, a four room bungalow there at the present time is selling at from \$10,000 up, and therefore what you said in that regard just does not apply. The price of houses we know has gone up out of all proportion and, as a result, certainly the \$4,000 is inadequate, and I do not think as a matter of fact in a number of areas the \$6,000 is a sufficient figure; and, personally, I would think the best thing to do there would be increase the limit to more than \$6,000.

The CHAIRMAN: Well, that has been carefully considered, and for the moment it has been rejected by the department. I might say that the understanding which we have from the board and from the local boards is that it has not created any major difficulty, and the percentage of these people who might own houses anywhere approaching the \$6,000 would be small and in their opinion this is adequate to take care of it. As I say, there is no finality in this matter. The problem first came up in 1939 when the amount was made \$2,000, then it rose to \$4,000 and now it is \$6,000; and I doubt if the values even in Ottawa, or Calgary would be increased by what you say, more than treble.

Mr. HARKNESS: Yes, Mr. Chairman, they have gone up four or five times as far as these places are concerned.

The CHAIRMAN: I know the situation in Winnipeg where property has increased rapidly in value.

Mr. GREEN: May I make one suggestion with regard to subsection 2?

The CHAIRMAN: Yes.

Mr. GREEN: Colonel Garneau has said that in arriving at the value which will be allowed to the veteran they take into consideration any mortgage on a property; in other words, they take into consideration only the value of the veterans equity in the property.

The CHAIRMAN: Yes.

Mr. GREEN: That section in the old Act reads in this way: it is clause (e) of section 13, it says:

- (e) any interest in premises in which the recipient resides unless the value of such interest exceeds four thousand dollars in which case there shall be deducted from the allowance the annual value of such interest in excess of four thousand dollars;

Now, in the new bill the wording is different, leaving out those words: "value of such interest"—

The CHAIRMAN: Or any interest.

Mr. GREEN: It says:

- (2) In determining what shall be deemed to be the income of a recipient from any interest in real property, the value of any premises in which the recipient resides shall be taken into account only to the extent that it exceeds six thousand dollars.

Now, I think you should put before the words "any premises", the words "such interest in"; then you would get the section back on the same basis as the section in the present Act.

The CHAIRMAN: I think when you come to section 22 (f) which is on page 7; you will notice that later when you come to this section of the Act that it provides for the determination of the value of any interest in real or personal

property owned or acquired by the recipient or his spouse. I think the reason for the change in the wording is to provide the power by regulation under section 22.

Mr. GREEN: I think, Mr. Chairman, the power indicated in section 22 (f) only applies to determine the value of his interest over the \$6,000. There has to be some way of determining how much the income value is on the excess over the \$6,000 he may have, and 22 (f) is for that purpose. I think in section 6, subsection 2 there is an omission and it should be worded in the same way as the old section 13, clause (e). I don't think it was the intention to change the position.

The CHAIRMAN: Perhaps Mr. Gunn could give some indication of what happened while this was in the legal mill.

Mr. GUNN: There is a slightly different approach here, Mr. Chairman, but the effect is the same as before. That is, it will likely be the same when the regulations are prepared. But this was deemed by the Department of Justice to be an improvement over the language before and it retains the principle that only the income, only the value of the property over \$6,000 shall be taken into consideration in determining income; and that is the same principle that runs throughout the old Act, I believe, except that it was \$4,000 for the last few years and \$2,000 before that.

Mr. GREEN: Yes, but the result of that would be that if a man has a home which is valued at \$10,000, then in the wording of that section you have taken into consideration the difference between the \$6,000 and the \$10,000.

The CHAIRMAN: We always did.

Mr. GREEN: No, oh no. As Colonel Garneau said, if the man had a \$2,000 mortgage on a house then you would only take into consideration the difference between the \$6,000 plus the \$2,000—

The CHAIRMAN: There is nothing new in it.

Mr. GREEN: —and the \$10,000 which would mean that he would only be charged income on his equity on the property over \$6,000.

The CHAIRMAN: As I understand it there is no change in it. That was done by regulation, Mr. Green, it was not the intention—

Mr. GREEN: No, it was done under the terms of the Act. The Act says, unless the value of the interest exceeds \$4,000.

The CHAIRMAN: But you would have to deduct the mortgage interest.

Mr. GREEN: No. All I am suggesting is you use the same words in the new Act, "value of such interest" exceeds \$6,000. Instead of doing that you say, "the value of any premises in which the recipient resides"; which, of course, must be regarded as the whole premise regardless of whether there is a mortgage on it.

The CHAIRMAN: Is there any further discussion?

Mr. GREEN: I would like to get clear just what the practice is going to be.

The CHAIRMAN: Could you add anything to what you have said, Colonel Garneau?

Mr. GARNEAU: As far as I can state we intended to carry out the same practice as before, to take the value of the property and to discount, so to speak, any mortgage from that property in figuring the value to be assessed. Now I may add, actually whether this is relevant or not, that I cannot recall over a number of years any complaints on these grounds or any protests to the board.

Mr. GREEN: That new Act says that you must do that. It reads that you must do that and the old Act, does not.

Mr. GARNEAU: We have always followed that practice, and it was at least my own intention to give directions so to speak, to that effect; that was a thing which would be covered in drafting regulations in section 22. There was no idea, sincerely speaking, to restrict in any way the present Act and we wanted just to add \$2,000 to that amount and carry on as before. That is as far as I can state at the present time. There are no back thoughts or hidden motives so far as that section is concerned.

The CHAIRMAN: That is right. As far as I can think there is no thought of any change in policy with respect to this, and I want to take—I haven't got Mr. Green's point on this, but I think I have most of it.

Mr. GREEN: It is in this old Act.

The CHAIRMAN: I know it. Anyhow what I am trying to say is that I will ask the Department of Justice whether we have indeed in any way imperilled what we had, because there is no part of our thinking to do so; and if they feel that we had departed from it, that it needs further direction in the Act, we will when we come to make these amendments in the committee, we can discuss it again. I can assure you it is not the intention on the part of anyone to limit the board as to what they have been doing.

Mr. GREEN: No, I realize that.

The CHAIRMAN: Shall the section as amended carry?
Carried.

Now, I think we go to section 20, penalties; offences, prescribed offences, procedure and limitations. Shall section 20 carry?

20. (1) Every person who, for the purpose of obtaining an allowance either for himself or for any other person, knowingly, in any application or otherwise, makes a false or misleading statement or fails to disclose any material fact, is guilty of an offence and liable on summary conviction to a fine of not less than fifteen dollars and not more than one hundred dollars or to imprisonment for a term not exceeding three months or to both fine and imprisonment.

(2) Any complaint or information in respect of an offence under this Act or the regulations may be heard, tried or determined in the place in which the offence was committed or the matter of the complaint or information arose or in any place in which the accused is apprehended or happens to be.

(3) A prosecution for an offence under this Act or the regulations may be instituted at any time within twelve months from the time when the subject matter of the prosecution arose.

Mr. LENNARD: Just a minute, Mr. Chairman, "liable on summary conviction to a fine of not less than \$15 and not more than \$100 or to imprisonment for a term not exceeding 3 months, or to both fine and imprisonment"; and at the middle of page 8, section 22, under regulations, it says: "prescribing a fine or a term of imprisonment that may be imposed upon summary conviction as a penalty for violation for any regulation, but a fine so prescribed shall not exceed \$15 and a term of imprisonment so prescribed shall not exceed 1 month". What is the purpose of that?

The CHAIRMAN: That is for the violation of any regulation; but if I understand it correctly, in the first instance these are punishments for fraud. Violation of the regulation is not necessarily fraud, it can be inadvertence, it can be stupidity, it could be any one of a number of things; but the penalties set out in section 20 are for fraud, for instance a false declaration with a view to getting something to which he is not entitled.

Mr. GREEN: Yes.

The CHAIRMAN: Carried.

Clause 21, evidence:

EVIDENCE.

21. In any trial, prosecution or other proceeding

- (a) a certificate purporting to be signed by the Chairman of the Board and setting forth the amount of allowance obtained and the portion thereof that remains unpaid or unrecovered as of any day, is receivable in evidence as *prima facie* proof of the amount of the allowance obtained and the portion thereof that remains unpaid or unrecovered as of that day; and
- (b) a document purporting to be an adjudication of a District Authority or of the Board is receivable in evidence as *prima facie* proof of the facts stated therein;

without proof of the signature or official character of any person appearing to have signed the certificate or document and without further proof thereof.

Mr. GREEN: Before you pass that, I think clause (b) is a new provision in the Act; "In any trial, prosecution or other proceeding a document purporting to be an adjudication of a district authority or of the board is receivable in evidence as *prima facie* proof of the facts stated therein." Now that means that if a board in a decision makes a statement of fact then under this section that statement of fact is taken as *prima facie* evidence. I do not think it is necessary to go that far. I do not believe that the veteran should be handicapped in defending himself by having a provision of that kind in the Act. I raise this question because the legion dealt with it in their brief. They said,

We would also like to draw attention to section 21 (b) of the bill. This would also appear to go considerably further than the corresponding section of the present Act and would allow, for example, the D.V.A. investigator's report to be used as *prima facie* proof of any claim made by the department. We feel that this is contrary to recognized procedure and that the subsection should therefore be deleted.

I think the contention of the legion on that point is correct and that the provision should not be extended beyond what it is in the old Act. After all, this involves a man getting a decision against him in a criminal court which is a very serious matter for a veteran or a civilian, and I do not think it is fair to the veteran and would certainly prejudice his position before a court; his position is difficult enough under the terms formerly in the Act, and I do not think the veteran should be burdened with that additional handicap in trying to defend himself.

Mr. CRUICKSHANK: Would it have priority over the other evidence?

Mr. GREEN: They could take a man into police court. He would have to have the services of a lawyer. This makes it just that much harder for the lawyer to get him off. In effect it means this, that in the finding the Board can include something which an investigator has put in his report and that becomes *prima facie* proof of the facts, which is an almost unheard thing in criminal prosecutions and I don't believe the department needs this.

Mr. CRUICKSHANK: I am not clear as to just what this means. Does it mean that a veteran has got to hire a lawyer to protect his interest? I am entirely against the section.

The CHAIRMAN: It looks, Mr. Green, as though Mr. Cruickshank and I are inclined to look askance at times at lawyers. You have had more experience than either Mr. Cruickshank or myself. I will ask Mr. Gunn to explain what this means, or to indicate to us what their thinking on it is.

Mr. GUNN: This whole section, Mr. Chairman, as such has been designed to facilitate in court proceedings, not necessarily criminal proceedings but civil proceedings for the recovery of money, the introduction of evidence, and to make it unnecessary to bring in witnesses to prove every last point unless those points are denied; then, of course, it does become, as Mr. Green will recognize, *prima facie* evidence, but the defendant still has an opportunity to challenge the accuracy of the *prima facie* evidence. And in so far as (b) is concerned, you will note that it talks about an adjudication; that means an award made by the district authority, and it contains merely the essential facts—that on a certain date a certain man was awarded so many dollars per month of allowance, and that is all it does.

Mr. GREEN: But that is covered by (a)?

Mr. GUNN: No, I don't think it is, Mr. Green. Subsection (a), paragraph (a) rather, deals with another angle.

The CHAIRMAN: It is a statement of claim.

Mr. GUNN: That is to enable the plaintiff which would be the crown in this case to put forward a certificate signed by the chairman showing the amount of allowance obtained and the amount, the portion that remains unrepaired or unrecovered at the particular day in question, and that is all; in other words the amount of allowances and the amount that is still outstanding as of date to the crown. Again, it is only *prima facie*, and if it is denied then the defendant has the opportunity of cross-examining the crown and requiring the production of accounts and items material to the issue. The purpose of the whole section has been merely to facilitate the legal process and to avoid having to bring many witnesses into court, sometime from points all across the country, at considerable expense. That is the whole purpose. I do not think the veteran is prejudiced to the slightest degree. It is merely an opportunity of having the facts known in advance and being prepared to meet them.

Mr. GREEN: But you still leave the burden on the veteran.

Mr. GUNN: Only if it is denied, Mr. Chairman, at that time.

Mr. BENNETT: It is the same with income tax; a defendant denies having received notification from the income tax department and that is accepted as proof; it many times saves bringing witnesses all the way from Ottawa.

The CHAIRMAN: Anyway, it only applies in cases of fraud—and it specifically states, an adjudication; and an adjudication is a written decision in these cases of the district board.

Mr. GREEN: That written decision might include a statement of fact concerning what the man had done or concerning his present income from other sources, or something of that sort. This section is so widely worded that the statement of fact would be covered.

The CHAIRMAN: Not for a lawyer; but in spite of that, I would doubt it, because an adjudication does not normally contain the basis of the adjudication; but even if it did, it has been pointed out that the report of the investigator with respect to the capital and so on, or the financial position of the person, is signed in every case by the person himself, if it has been obtained from him, and if it has not been obtained from him then he reserves his right to challenge it. It would have to be proven. In the great majority of cases the adjudication is not challenged by the veteran; but if he does so, his rights are preserved and the Crown has to prove the accuracy of it, if he challenges the accuracy of it. They have to have a concrete case of evidence to bring back to prove the signature.

Mr. GREEN: I think it is perfectly right that the signature on the document should be proven in this way, but it is the wording that worried me, "proof of the facts stated".

The CHAIRMAN: Gentlemen, is there any further discussion? Shall the section as amended carry?

Mr. HOSKING: This legislation allows a veteran the same freedom he would have if it were not there; instead of bringing evidence in, I would like to commend the department for saving money, because many of the veterans have to pay taxes to pay for these investigations, and any money we can save should be saved, and I would like the department to feel that this committee appreciates their efforts. To me it is a very good thing.

The CHAIRMAN: Shall the section carry?

Mr. GILLIS: I would like to ask Mr. Garneau what answer he has to the Legion's submission that this particular section paved the way for the use of investigators' reports and so on to be used in evidence, without even verifying the signature of the investigators and so on. Is there any validity to that?

Mr. GARNEAU: I would say no, Mr. Chairman, and Mr. Gillis; and that section, as you will notice, has been included, in practically the same words in the Act for the past four years. I might go a little further, possibly, and state that, on two or three occasions anyway, I have been called away, along with some members of my staff, and required to spend two, three or four days in various cities appearing personally just for the sake of possibly five minutes in the witness box, just to state that it was my signature, and that we made the award on such and such a date, and so on. But it does not introduce, as far as I know, any *prima facie* evidence of investigators. That is as far as I remember with respect to some of the cases which I attended.

The investigators' reports were brought in to substantiate the case further on cross-examination and so on; but they were not accepted initially as *prima facie* evidence of a man's guilt; such cases are also investigated I believe, by the R.C.M.P., by direction of the Department of Justice, and they submit an up-to-date report after the usual warnings, and the case follows its course; but this provision was primarily intended to save the board, and maybe a portion of the members of the staff from travelling across the country to appear personally for, maybe, merely four or five minutes appearance in court to state that it was their signature, etc.

The CHAIRMAN: Shall the section carry?

Carried.

Shall section 22 carry?

REGULATIONS

Regulations

22. On the advice of the board and with the approval of the Governor in Council the Minister may make regulations for carrying the purposes and provisions of this Act into effect and, without restricting the generality of the foregoing, may make regulations

- (a) prescribing the manner and form of making applications for allowances and the information and evidence to be furnished in connection therewith;
- (b) prescribing the times and manner of payment of allowances and providing for adjustment of such payments in relation to the income of the recipient;
- (c) defining residence and defining intervals of absence from Canada that shall be deemed not to have interrupted residence in Canada;
- (d) for determining whether any veteran is unable to maintain himself by following his former ordinary occupation or is capable of taking light or intermittent employment;

- (e) defining income for the purposes of this Act, and prescribing the manner in which income is to be determined, including the income of a recipient and his spouse and the determination of an amount thereof that each shall be deemed to receive;
- (f) for determining the amount that, for the purposes of this Act, shall be deemed to be the income of a recipient from any interest in real or personal property owned or acquired by the recipient or his spouse;
- (g) requiring recipients to report any change in their financial or domestic circumstances;
- (h) providing, by the suspension or withholding of allowances, for the recovery of any allowance payments to which a recipient was not entitled;
- (i) providing for the circumstances justifying or requiring the suspension of payment of allowance and the resumption of payment;
- (j) prescribing the quorum of a District Authority and the procedure to be followed in matters coming before District Authorities;
- (k) prescribing the procedure to be followed in appeals from adjudications of District Authorities and to give effect to adjudications of the District Authorities and of the Board; and
- (l) prescribing a fine or a term of imprisonment that may be imposed upon summary conviction as a penalty for violation of any regulation, but a fine so prescribed shall not exceed fifteen dollars and a term of imprisonment so prescribed shall not exceed one month.

Mr. GREEN: This is a new departure in the Act, is it not?

Mr. BURNS: Mr. Chairman, the purpose of our extending the number of subjects on which it is stipulated that the Governor in Council may make regulations is because with the decentralized administration which has been introduced, it is desirable to have matters in regulation form, whereas it was not formerly necessary, when the administration was centralized and when all adjudications were carried out by the Board. Then, it will have the additional advantage from the point of view of the veteran, I would think, that the regulations, after being published in the *Canada Gazette*, can be observed by the veterans and by those who are interested in veterans' affairs, who could make representations on regulations which seem to be in any way detrimental to veterans' interests.

Mr. GREEN: What regulations are there now?

Mr. BURNS: The only regulations are in connection with the operation of the district authorities.

Mr. GREEN: Have we got a copy of them?

The CHAIRMAN: Have the regulations been tabled?

Mr. BURNS: I believe they have, Mr. Chairman.

Mr. GUNN: They consist, Mr. Chairman, of the declaration that the applicant or recipient may appeal from the decision of the district authority by giving notice and so on; and then they set out the procedure on the appeal, and go on to say that in spite of that, and in addition to the right of appeal, the board may of its own, review and modify the decision of the district authority. That is the gist of what regulations there are; they are quite short; and as the deputy minister has pointed out, it has been found as a result of this decentralization that the need for order in council regulations seems to be very important, so that everybody may know what the procedure is.

Mr. GREEN: I suppose the need for regulations has arisen because of the dividing up of responsibility among the different committees across the country?

The CHAIRMAN: That is correct.

Mr. GREEN: As I understand it, at the present time there are no regulations dealing with such things as the conditions under which repayments must be made.

Mr. GUNN: That is so, there are regulations by order in council.

Mr. GREEN: It is simply done by the practice of the board; they have a certain set practice which they follow.

Mr. GUNN: Whenever there has been an over-payment, they attempt to recover it by various means. Sometimes it is necessary to take legal proceedings, but that course is adopted just as a matter of course.

The CHAIRMAN: Under the statute, but not under the regulations. It is under the statute.

Mr. GUNN: Merely as a result of infractions of the Act.

Mr. GREEN: When the new Act becomes law, there will be regulations drawn up covering the various methods.

Mr. GUNN: Yes.

The CHAIRMAN: The power is taken.

Mr. GREEN: What is the practice in a case where a married veteran is drawing an allowance, and then his wife has certain money left to her and the result of that is to constitute an over-payment under the Act, and in due course the department makes a claim for over-payment. In a case like that, the repayment could only come from the wife's inheritance. Would she have to pay back both the money that was paid because the man was married, as well as the money that was paid for him?

Mr. GUNN: I think we can answer that: It would depend entirely to what extent she may have been an accomplice in getting that over-payment. If there was anything in the nature of fraud on her part, if she was a co-conspirator, so to speak, with the veteran, then proceedings would be taken if necessary.

Mr. GREEN: I have had a case like that, where a wife has made a settlement and paid back the money; and it does seem a little harsh that she should not only have to pay for the money which came for her but also have to pay for the money which went to her husband, particularly if the husband was not co-operating and was spending the money on his own, without her knowing about it. Yet now, she is put in a position where she has to repay for his misdeeds, although she did not get the money. So I would suggest that in framing your new regulations you give some consideration to a case of that type.

The CHAIRMAN: We might pass new regulations having regard to your case and how it was settled. If we did so, it would be very helpful to the wife.

Mr. GREEN: Oh, no, no, because the settlement involved treatment payments.

The CHAIRMAN: It also involved exempting her estate from double liability only in the first instance.

Mr. GREEN: Only in respect to the treatment for her husband, but not for her.

The CHAIRMAN: Yes, and it exempted her estate after her death.

Mr. GREEN: No, for the treatment payments.

The CHAIRMAN: They would be half of the bill.

Mr. GREEN: I think there should be some consideration given to that. I do not see much equity in the wife having to take her own money and pay back money which was used by the husband without her knowledge.

Mr. GUNN: Certainly it has never been attempted to recover money that was paid to the veteran as an allowance prior to the time, or prior to the time that the wind-fall came in; but if there is a non-disclosure after that in which the wife participated to any degree, there is an attempt made to hold her liable.

The CHAIRMAN: I think we can assure Mr. Green that all of these circumstances which are based on factual cases will be taken into consideration in the drafting of these regulations which you will realize are a new departure.

Shall section 22 carry?

Carried.

Shall section 23 carry?

DISTRICT AUTHORITIES.

District Authorities.

23. (1) The Minister may establish regional districts of the Department for any area and, with the approval of the Governor in Council, may appoint for each district a District Authority consisting of such number of persons employed in the Department as the Minister may prescribe.

Applications for Allowance.

(2) An application for an allowance shall be made to the District Authority established for the regional district in which the applicant resides.

Adjudication.

(3) A District Authority has full and unrestricted power and authority and exclusive jurisdiction to deal with and adjudicate upon all matters and questions arising under this Act in the district for which the District Authority was established, relating to the award, increase, decrease, suspension, or cancellation of any allowance awarded or paid under this Act.

Carried.

Section 24. This section is of the same effect as section 21 of the present Act.

Review of adjudication

24. Every adjudication by a District Authority is subject to review from time to time by the District Authority and it may, for the purpose of any such review, require the recipient to submit a statement of such facts as it may consider relevant to determine his right to have any allowance continued; such statement shall be verified in such manner as the District Authority may direct and in the event the recipient fails to furnish a statement as required, the District Authority may reduce, suspend or cancel payment of the allowance.

Shall the section carry?

Carried.

Section 25, "War Veterans Allowance Board".

Shall the section carry?

Carried.

Section 26, "Powers of District Authorities and Board". "Investigation".

Shall the section carry?

Carried.

Section 27, "Census information".

Shall the section carry?

Carried.

Section 28, "Appeals".

Shall the section carry?

Carried.

Section 29, "Administration of Act".

Shall the section carry?

Carried.

Section 30, "Veterans Described".

Shall the section carry?

VETERANS DESCRIBED

Veterans described

30. (1) The veterans referred to in paragraph (k) of section two are those described in this section.

Veteran of South African War

(2) A veteran of the South African War is

- (a) any former member of a Canadian contingent who served in a theatre of actual war during the South African War, or
- (b) any former member of His Majesty's forces, who served in a theatre of actual war during the South African War and was domiciled in Canada immediately prior to the eleventh day of October, eighteen hundred and ninety-nine.

if in either case the former member landed in South Africa prior to the first day of June, nineteen hundred and two.

Canadian Veterans of World War I or World War II

(3) A Canadian veteran of World War I or World War II is any former member of His Majesty's Canadian forces who served during World War I or World War II, and

- (a) served in a theatre of actual war,
- (b) is in receipt of a pension for injury or disease incurred or aggravated during his service in such forces, or
- (c) has accepted a commuted pension.

Allied Veteran

(4) An allied veteran is

(a) any former member

(i) of any of His Majesty's forces who served during World War I or World War II,

(ii) of any of the forces of any of His Majesty's allies who served during World War I or World War II, or

(iii) of any of the forces of any power associated with His Majesty in World War I who served during World War I,

who was domiciled in Canada at the time he joined such force for the purpose of such war and

(iv) served in a theatre of actual war,

(v) is in receipt of a pension for an injury or disease incurred or aggravated during his service in such force, or

(vi) has accepted a commuted pension; or

(b) any former member of His Majesty's forces, or of any of the forces of any of His Majesty's allies or powers associated with His Majesty in any war concluded on or before the thirty-first day of August,

nineteen hundred and twenty-one, who served during any such war, and has resided in Canada for a total period of at least twenty years, and

- (i) served in a theatre of actual war.
- (ii) is in receipt of a pension for an injury or disease incurred or aggravated during his service in any such force during such war, or
- (iii) has accepted a commuted pension.

Canadian dual service veteran

- (5) A Canadian dual service veteran is a person who
 - (a) served during World War I and World War II as a member of His Majesty's Canadian forces,
 - (b) was enlisted or obligated to serve in such forces without territorial limitation, and
 - (c) has been honourably discharged or has been permitted honourably to resign or retire from such forces.

Allied Dual Service Veteran

- (6) An allied dual service veteran is
 - (a) a person who
 - (i) served during World War I as a member of His Majesty's forces,
 - (ii) was domiciled in Canada when he became a member of such forces,
 - (iii) was a member of His Majesty's Canadian forces during World War II, enlisted or obligated to service without territorial limitation, and
 - (iv) has been honourably discharged or has been permitted honourably to resign or retire from such forces; or
 - (b) a person who
 - (i) served during World War I as a member of His Majesty's forces or of any of the forces of any of His Majesty's allies or powers associated with his Majesty,
 - (ii) was a member of His Majesty's Canadian forces during World War II, enlisted or obligated to serve without territorial limitation,
 - (iii) has resided in Canada for a total period of at least twenty years, and
 - (iv) has been honourably discharged or has been permitted honourably to resign or retire from such forces.

Canadian Forces veteran 1951 (1st Sess.) c. 62.

(7) A Canadian Forces veteran is any former member of the Canadian Forces who was on service in a theatre of operations as defined pursuant to section two of *The Veterans Benefit Act, 1951*.

"Theatre of actual war" defined.

- (8) For the purposes of this section "theatre of actual war" means
 - (a) in the case of the South African War, the zone of the military operations in South Africa in which the forces of the United Kingdom of Great Britain and Ireland were engaged prior to the first day of June, nineteen hundred and two;

(b) in the case of World War I

- (i) as applied to the army or air forces, the zone of the allied armies of the continents of Europe, of Asia, or of Africa, or wherever the veteran has sustained injury or contracted disease directly by a hostile act of the enemy;
- (ii) as applied to the naval forces, the high seas or wherever contact has been made with hostile forces of the enemy, or wherever the veteran has sustained injury or contracted disease directly by a hostile act of the enemy; and

- (c) in the case of World War II, any place where the veteran has been on service involving duties performed outside the Western Hemisphere, including service involving duties performed outside of Canada, Newfoundland and the United States of America and the territorial waters thereof in aircraft or anywhere in a ship or other vessel, which service is classed as "sea time" for the purpose of advancement of naval ratings, or which would be so classed were the ship or other vessel in the service of the naval forces of Canada.

"Commuted pension" defined. R.S., c. 157.

(9) For the purposes of this section "commuted pension" means a final payment under the *Pension Act* in lieu of annual pension in respect of a disability rated at five per cent or more of total disability, or a similar or analogous final payment under the laws relating to the forces with which the veteran served.

Commencement and duration of wars.

- (10) For the purposes of this section,

- (a) the South African War shall be deemed to have commenced on the eleventh day of October, eighteen hundred and ninety-nine, and to have concluded on the thirty-first day of May, nineteen hundred and two;
- (b) World War I shall be deemed to have commenced on the fourth day of August, nineteen hundred and fourteen, and to have concluded on the thirty-first day of August, nineteen hundred and twenty-one; and
- (c) World War II shall be deemed to have commenced in September, nineteen hundred and thirty-nine, and to have terminated
 - (i) in respect of service in connection with operations in the European and Mediterranean theatres of war, on the eighth day of May, nineteen hundred and forty-five; and
 - (ii) in respect of service in connection with operations in the Pacific theatre of war on the fifteenth day of August, nineteen hundred and forty-five.

Application to Newfoundland.

- (11) For the purposes of this Act,

- (a) the expression "Canadian forces" includes any forces raised in Newfoundland and "domicile in Canada" and "residence in Canada" include respectively domicile and residence in Newfoundland, whether before or after the union of Newfoundland with Canada; and

Veteran deemed married.

(b) a veteran who

- (i) is residing with a woman with whom he is prohibited from celebrating a marriage by reason of a previous marriage either of such woman or of himself with another person, and
 - (ii) shows to the satisfaction of the District Authority that he has, for seven years or more, continuously maintained and publicly represented such woman as his wife,
- shall be deemed to be married to that woman.

Mr. GILLIS: I still think we have omitted something there, Mr. Chairman.

The CHAIRMAN: What is it, and if you are right, we will see what we can do about it, Mr. Gillis?

Mr. GILLIS: The widows of Imperial veterans do not qualify under the present legislation because their husbands died a couple of months previous to fulfilling residence qualifications. I know, Mr. Chairman, that the members of the board are to receive a memorandum of this subject from representatives of the British Ministry; and on the evidence, there is an indication that the problem is not a really big one; but I am disappointed that there has not been some adjustment made here in this section to provide for these widows.

The CHAIRMAN: Well, in this Act, since its inception, I realize that in answer to Mr. Gillis I may be inviting something else, but that is what we are here for; the definition of widow in the Act is the wife of a deceased veteran within the meaning of the Act. And at the time that the Imperial resident in Canada came under the War Veterans Act, as a result of a request made by either themselves or on their behalf by the Imperial Division of the Canadian Legion by the National Council and by other veterans organizations, this is what they asked for. Some of them assured us that they would not ask for anything more in the future, although I think that could be discounted. They said that they would be content if Canada would do, what I may say no one else has done, and that is, accept the Imperial veterans who had 20 years residence in Canada as being entitled to the benefits of this Act.

Now, you gentlemen who have been members of this committee for a long time will know, and perhaps all of you know that with respect to the War Veterans Allowance benefits payable to you, that they flow from the veteran himself; consequently, the government of the day with the approval of this committee made a request of the Imperial veterans, namely, that having served in a comparable service condition to the Canadian who qualifies, they would be entitled to the benefits of this Act, and they ask that those who are entitled, along with their widows, may have the same entitlement as the entitled Canadian. There are in Canada a substantial number of men who served in the Canadian forces, but who have, by virtue of the fact that they served in Canada, in the first World War, only, or served in England, which was not a theatre of actual war, those men in their lifetime are denied the benefits of this Act, because this Act is based on a legal presumption that a man who served in a theatre of actual war was prematurely aged by 10 years. It has never been applied, although it has been suggested at different times, to abandon that definition of the Act and justify the existence of it all. That is the basis today. That is the basic principle of it today and it only exists in three places: in Canada, where it was born, in New Zealand where it was copied, and also in Australia where it was copied. But in each case it is based on that legal presumption of 10 years pre-aging. Now, if you had served in England in World War I or in Canada in World War II the limitations are much wider; they include Newfoundland and so on; and unless we abandoned

the whole principle of the Act, we have never been able to see how we could include that veteran unless, of course, he suffered a disability during his service for which he had a pension.

Now, we have been recording suggestions from veterans organizations that we ought to broaden the scope of this Act to include those with service in Canada or service in England only, but that has never been agreed to. I think the result would be that we would be going very far outside either the intent of the Act or the desire, I think, of most veterans if we should say that we would be going very far outside either the intent of the Act or the desire, I think, of most veterans if we should say that we would accept the widow of an Imperial veteran who himself in his life time failed to qualify, and to qualify her in view of the fact that upwards of 70,000 or 80,000 originally—I do not know how it is just now—from World War I and a substantial number from World War II are not eligible.

What we are being asked to do in that suggestion is to abandon the principle that this payment is for battle service and to make it a service pension; and for that reason the government, in its wisdom or in its lack of wisdom, has not seen fit to include it.

Mr. GILLIS: I do not agree with your argument at all Mr. Chairman. First of all, the principle you have just enunciated, so far as the veteran serving in the theatre of war is concerned, has been abandoned.

The CHAIRMAN: I am sorry.

Mr. GILLIS: Yes, that principle which you stated has been abandoned.

The CHAIRMAN: Not in the legislation.

Mr. GILLIS: Just a minute, now. The veteran who served in England in World War II qualifies for war veterans allowance because the government designated England as being a theatre of war.

The CHAIRMAN: Which it was.

Mr. GILLIS: No, it was not. That is where the principle was changed; you did not get into war until you got across the channel and began to shoot.

Mr. QUELCH: Some were killed in England in the first war.

Mr. GILLIS: That principle has been abandoned. Now, with respect to the widow, it is a case of need.

The CHAIRMAN: That is not involved in the discussion, I am sorry to say.

Mr. GILLIS: Well, I am involving it now, Mr. Chairman.

The CHAIRMAN: O.K.

Mr. GILLIS: The legion has argued this case, and it has been argued in the House, that in the case of the Imperial veteran's widow who was unfortunate enough to lose her husband a year or so before he qualified to bring her under this Act, her position is that she is in need, just as would be the case of the widow of a Canadian veteran, and she is granted the allowance because of her need because she lost her husband.

The CHAIRMAN: Might I say this, in order to keep the record straight. The Canadian widow was not granted it until her husband became eligible to be granted that entitlement.

Mr. GILLIS: That is true; but I am not accepting your explanation. You are dealing with the case of a widow of the first war, and because her husband served in England, and because the Canadian government had not designated England as an actual theatre of war at that time.

The CHAIRMAN: That is right.

Mr. GILLIS: I do not accept your argument at all. I think there is a legitimate claim for the Imperial veteran's widow, as resident in Canada for 20 years herself, and I think her case becomes one of need, and I believe we

should give her that allowance. Secondly, I think when the Canadian government abandoned the principle of this being a compensation for battle service, the breakdown in referring to her changed that principle by designating England as a theatre of war in qualifying the second World War veterans; but they could have made it all inclusive and granted it for the first war veterans also. I know that I am not going to change Mr. Mutch's opinion.

The CHAIRMAN: I was not stating my opinion; I was stating the facts which lie behind all this.

Mr. GILLIS: No, you were garbling the facts.

The CHAIRMAN: No, I was not. I was very careful not to express any personal opinion because of the position I am in.

Mr. CRUICKSHANK: I would like to ask a question concerning a theatre of war. Will that cover those serving in Europe at the present time?

The CHAIRMAN: No.

Mr. CRUICKSHANK: Therefore I disagree right there; they are serving on our behalf, and anything may happen tomorrow. They are serving and I cannot see it as not being a theatre of war; I used to agree entirely with you, but I entirely disagree with you now, as a veteran of the first war. In the first place, I know in my own district of Imperial veterans who died after 19 years and 10 months, and I know the widows of those veterans, and I think there should possibly be some amendment made. I am not trying to be arbitrary about it, but I think that the board should have authority, with discretion. And for the sake of argument, I actually know of cases in my own district where an Imperial veteran died 19 years and six months after, and I do not think that is—never mind the mistakes made in Britain; that was something unfortunate in the past, just as in another province in Canada as of yesterday, in their having an unfortunate government; so never mind that—but why should the widow be penalized? And in the second place, I entirely disagree with you in reversing my own opinion some committees ago on an actual theatre of war. I know in the first war these boys went on leaves very often in London, and probably visited the various hotels in London. I realize that in the second great war, the position was different, it was a different proposition, but there were pimps as well with them; and I know also, Mr. Chairman, that there were a lot of people there in the old country who did not get beyond there at all, they were assigned to the pay office, they were all dressed up in fancy uniforms, and as every honourable member knows they never saw anything in the line of danger, they didn't know what the war meant. They had themselves all beautifully decorated up and spent their time in London and had a good time in the hotels. Mr. Chairman, you know just as well as I do what went on over there. You have had the floor plenty this afternoon, too long, Mr. Chairman; and I would like to have my say.

The CHAIRMAN: You are inviting me to reply, but I have not started to.

Mr. CRUICKSHANK: Well, you have had your time for over an hour now, and I want to have my say. Those who served in England only certainly had some beautiful administrative uniforms, plastered with badges and with very high rank. They were said to be in a theatre of war, and now when they have been accorded that recognition in World War II it seems to me that the widows of Imperial veterans who are now living in Canada should be accorded the same consideration, and the same recognition should be extended to those who served in the first Great War as was extended to those who served in the second World War. But I certainly say, Mr. Chairman, it seems heartless to me if we accord them any different treatment. No matter what

difficulties are involved I think that the widow of a British soldier who has resided in Canada for 19 years and 10 months, or 9 months if you like, should not be deprived of the right of the benefits that she would have been accorded if her husband had lived for the full 20 years. I think there should be some discretionary powers left to the board in that connection. We see the same argument all the time: the husband had been employed for 19 years in Canada, and then he died and because he died she lost her eligibility. I think we should make it a statutory right, and I believe those who served in these administrative offices with such distinction, with jobs in pay offices or on headquarters staff, or somewhere in London, in the first great war are entitled to no more than those who served in the same way on the staff and in offices in London or elsewhere on the high seas, for instance, in the second world war.

Mr. JUTRAS: I just want to say on this question of a theatre of actual war that I do not agree with Mr. Gillis. There is definitely a big distinction to be made between the second World War, and the First Great War.

Mr. GILLIS: But, Mr. Jutras—

Mr. JUTRAS: Just a minute, you have made your case, let me reply. You take the case for instance of all the heavy bomber units in the R.C.A.F., every one of the pilots of the heavy bombers were stationed in the British Isles because the bases of the heavy bombers all through the war had to be some place in the British Isles, so that actually under that arrangement you would put all these men in the category of not having served in a theatre of actual war.

Mr. GILLIS: No, no.

The CHAIRMAN: Order, please, gentlemen.

Mr. GILLIS: Not that.

Mr. JUTRAS: There was a big difference. You have just heard what Mr. Cruickshank said with regard to a theatre of actual war. It was his opinion in the first Great War that England was not a theatre of actual war but he indicated a difference in the second Great War. There is a big difference. The men who fought in the heavy bomber groups, if placed in that category, would have served in a place which was not a theatre of actual war.

Mr. CRUICKSHANK: I didn't say that at all, I didn't refer to that type of service in anything I said. So the record will be clear, I did not mean that. I did not refer in anything I said to the men of the heavy bomber group or in the air force; certainly they were in the first line of battle, fighting the enemy in a theatre of actual war, right in the front line. I want to make it clear that I did not mean what the honourable member for Provencher has implied at all.

Mr. HOSKING: You said that it was not a theatre of actual war.

Mr. CRUICKSHANK: No, I did not. I referred to other services, not to the bombers or the air force. I did not say that at all; but what I did say, Mr. Chairman, was that some gentlemen worked around the pay offices or the administration offices or at headquarters, one place or another, and they had their pretty uniforms and were all over England but didn't go anywhere else, and they were given more entitlement than the soldier who was on duty there in the first Great War although they never saw battle at any time and served in London or somewhere else in the British empire. I want to make that clear; I did not say that these bomber groups were not in a theatre of actual war.

Mr. JUTRAS: No, I did not say that you said that. You know very well what I said.

Mr. CRUICKSHANK: But I did say that the man detailed in the first war, the man who was detailed to London or elsewhere, is as much entitled to full benefits as the man who was detailed to similar duty in the second Great War.

Mr. QUELCH: Mr. Chairman, I think you stated at one time in the course of the discussion that a man who served in a theatre of actual war was assumed to have aged by at least 10 years, is that correct?

The CHAIRMAN: That is correct.

Mr. QUELCH: That is, he is presumed to have aged to a certain extent, under this Act.

The CHAIRMAN: Yes.

Mr. QUELCH: Would it be possible to extend to that veteran who has probably aged 10 years, at the age of 60, the benefit of that aging so that he can be retired as of age 70 without a means test for his pension? We know that most authorities agree that at age 60 he is presumed to have aged by 10 years. Why not eliminate the means test entirely at 60 years of age? Would not that operate to help him qualify for pension at the lower age?

The CHAIRMAN: If I might interject without being offensive, I take it, Mr. Quelch that the adoption of section 4 of the new bill is an endeavour to remove the means test from the man at age 60 who is unable to work.

Mr. QUELCH: Who was unable to work. It does not help the man who is unemployable and who needs help most of all. All he is entitled to is his pension.

The CHAIRMAN: We are raising the question of the supplement.

Mr. QUELCH: On this question of the Imperial veteran, after all, he is in a different category to the other veterans because it is the only case in which the question of residence comes in. In order to qualify he must have resided in Canada for 20 years. It seems to me the logical conclusion to arrive at would be, if he make his home in this country and resides here for 18 years and then dies, then it appears to me the logical thing would be that when the wife has resided for the full 20 years—his body has resided here for the 20 years—then she should be eligible for the pension. The actual body of the veteran would still be in Canada, the actual body would have resided in Canada for 20 years; therefore, I think there should be no question that the widow should be eligible when she has completed her residence of 20 years.

The CHAIRMAN: Mr. Quelch, you should have been a lawyer.

Mr. GREEN: I think that the difficulty with regard to the widow of the Imperial veteran arises because in making these Imperials who came to Canada after the first war eligible the legislation departed from the principle of domicile which was the test in other cases—for example, if you turn to page 12 of this new Act, you will find that there the Imperial who was domiciled in Canada before the war, before the first war, and then served in a theatre of war with the Imperials is eligible for the war veterans allowance; he is the man who went from Canada to the Imperial army.

The CHAIRMAN: That is parallel to the Pensions Act, it is parallel to what we did under the Pensions Act.

Mr. GREEN: Yes, the man who was domiciled in Canada before the first war, went overseas with the Imperials, served in a theatre of war; throughout all the time there has been a War Veteran Allowance he has been eligible for war veterans allowance; the test was domicile in Canada before the first war. Then, after the first war, there was quite a large group of Imperials came to Canada up to and perhaps including the year 1930. The request was made at that time that that group should be made eligible for war veterans allowance. That is when the question of eligibility came up, but in their case instead of making the test in domicile in Canada on or before the 1st of January 1931, for example, the test was made that the man should have lived in Canada for a period of 20 years. Now, that 20 year period was used because the Act was passed in 1950, Mr. Chairman—was it not?

The CHAIRMAN: I think so, yes; in May, I think.

Mr. GREEN: In effect the purpose was to cover the Imperials who came here before 1931, but instead of covering them by simply saying in the Act, any Imperial domiciled here before the 1st of January, 1931 would be eligible, the legislation went at it the other way and said, any Imperial is eligible who has been here for 20 years before he makes his application. Now, that was a completely new test, a new standard put into the Act.

The CHAIRMAN: It is taken, Mr. Green, as you know, from the Old Age Assistance Act, and the Old Age Security Act. This is welfare legislation we are discussing and it is exactly a parallel situation to the restrictions imposed on Canadian residents in both the Old Age Assistance Act and the Old Age Security Act.

Mr. GREEN: That may be, but I think this is one place where we should get away from that. I do not see why we should keep putting the veteran on the same basis as old age assistance.

The CHAIRMAN: It is not the veteran, it is the veteran's widow we are talking about.

Mr. GREEN: Or the veteran's widow.

Mr. LENNARD: In order to be eligible for the old age assistance they have to be here 20 years.

Mr. GREEN: That has not been used before, and I do not see why we should do it now. I am quite sure that we have never used as a yardstick any old age assistance measure; and certainly I think that it was really the intention of the veterans affairs committees down through the years that the test should be whether or not the old Imperial got here before 1931.

The CHAIRMAN: That was never mentioned. It was whether or not they had been resident 20 years, not less than 20 years. He might have only resigned from the service in 1921—he could not have been here before 1921 because he was in action—I mean before 1931.

Mr. GREEN: But the intention was to extend the benefit to the important groups of veterans who came here in the 1920s. That is what he had in mind.

The CHAIRMAN: They were the only ones who had been here for 20 years, that is what they asked for.

Mr. GREEN: And I think, if the definition here on page 12 were changed to read, "domiciled in Canada on or before the 1st of January 1931", instead of reading, "has resided in Canada for a total period of at least 20 years", that you would resolve all these difficulties of the widows of veterans who were domiciled here in 1930. They would be covered.

The CHAIRMAN: To the prejudice of the Canadian widow who had lived here all her life and who is not entitled under the Act because her husband is not entitled.

Mr. GREEN: Well, the Imperial veteran has been given the war veterans allowance on the basis of his service in a theatre of war; you cannot fairly compare his widow with the widow of a veteran who did not see service in a theatre of war.

The CHAIRMAN: Are you seriously suggesting, Mr. Green, that we should give a benefit to the widow of the Imperial who himself was not entitled under the Act which the law denies to the widow of Canadians who are not entitled because of the reasons I stated a moment ago? That is what it is.

Mr. GREEN: Well, if the qualification for the Imperial veteran were made, domiciled in Canada before 1931, then the Imperial veteran would be covered, and the widows would be covered. That is what I am suggesting.

The CHAIRMAN: And all you would do, Mr. Green, with deference, is change the problem; instead of dealing now with the 1931 or 1932 widow, we would have lots of 1932 and 1933 widows.

Mr. GREEN: No, the actual fact is that there are practically no Imperial veterans who came here after 1930. I do not think there were more than a handful from then until the time of the Second Great War, and in fact to the end of the Second Great War. Nobody was asking for protection for the man who came here after 1930. We are only trying to help the group who came here before 1930.

The CHAIRMAN: In any case, Mr. Green, it has not been the principle to offer more than these people themselves have asked for.

Mr. LENNARD: Well, Mr. Chairman, just because the veterans—unfortunately, at the time the Imperial Veterans Association and other organizations asked for this in the manner in which it was drafted there is no reason why it should last forever as it stands simply because a mistake may have been made in drafting it. Mistakes have been made by this and various committees; and this very Act here that we have before us comes before us because it is bringing this whole matter up to date because of mistakes that have been made in the past. I do not see why because some veteran organization asked for certain things that they should be held strictly to what they asked for and that that should be accepted as necessarily right or just.

Mr. QUELCH: Mr. Chairman, I wonder if somebody could tell us how much money would be involved in this proposal?

The CHAIRMAN: Does anybody know? I do not think that anyone has ever attempted or made any attempt to discover it because, you see, it has never been seriously considered because of the fact—it is not a question of whether we like it or not, but that the introduction of it would be a direct abandonment of the principle that all the benefits in war veterans allowance flow from the veteran.

Mr. QUELCH: I don't agree with that at all, Mr. Chairman; this is one case in which it does not seem logical to me to take that view.

The CHAIRMAN: I am not arguing.

Mr. QUELCH: He would have resided in this country if he had not died. He would have been eligible for it if he had not died. It is a matter of qualification as far as pension is concerned; the qualification of becoming domiciled in this country and having resided here for 20 years. Surely, you are not going to divest the widow of the right to that pension just because he happened to die before he had a chance to complete his 20 years of domicile.

The CHAIRMAN: I don't want to argue this thing. I am trying to give you all the information that is available rather than my own opinion. But, Mr. Quelch, you who have been supporting this point are arguing for special consideration for the widow of the Imperial veteran, and not only of the Imperial veteran but of any allied or associated veteran in this country; which in effect means that it would make it available to any other widow living in any other country in any part of the world who is left in necessitous circumstances. Your argument is for the creation of a special privilege to a small group while that very same privilege is not accorded to the widows of Canadian veterans who may have been left in necessitous circumstances.

Mr. QUELCH: But the provision of special benefits to Imperial veterans and their widows was introduced into the Act.

The CHAIRMAN: That is right.

Mr. QUELCH: But they are not qualified for it if they happen to die before having lived here for 20 years.

The CHAIRMAN: But, Mr. Quelch, that would be giving them a special benefit. We do not want to discriminate against any Canadian group or to give them any special benefit if we cannot at the same time give them a benefit parallel to that which is given to the Imperial veteran.

Mr. QUELCH: My whole argument right along has been that we made the Imperial veteran eligible for the veterans allowance—that is his widow. We give him the same special benefit that we give to any Canadian.

The CHAIRMAN: We are not giving it to any Canadian veteran unless he is qualified for it.

Mr. QUELCH: We are giving it to all Canadians, to all Canadian veterans who saw service in a theatre of war. These men saw service in a theatre of war, but because they did not reside in Canada for a period of 20 years we are denying the widow's allowance to their widows just because they happened to die before they completed their period of residence. That is what I think is most unfair.

Mr. HOSKING: That leads to another case which would be similar to that, and would apply to a great number of Canadian widows. This is the case of a widow who is married to a major of the Great War and at his death—he was a Canadian, I am giving an analogous case because his widow is in the same position as the widows you are speaking about—she was married to a major and they had a certain amount of money when he became unable to work for a year or two before he died; he had money enough to live on but his widow is destitute, she has no pension or other benefit. Would she not be in exactly the same position as these Imperial widows?

The CHAIRMAN: But the widow would be eligible under the Act providing her husband, had he lived, would have been eligible.

Mr. HOSKING: Yes, but had he lived until now they would have been destitute. For some two years he was out of work.

The CHAIRMAN: And she might qualify for the widow's pension provided he had served in a theatre of war.

Mr. HOSKING: Yes, but at the time of his death he was not drawing any pension, so she can't get it.

The CHAIRMAN: But that does not affect her position.

Mr. QUELCH: I think it would be in order for us to make a recommendation that the Imperial widow should receive benefits.

The CHAIRMAN: But I am not sure that we would not be transgressing our own resolution. That was one of the recommendations of the national veterans organizations which we have already resolved; that the government should give continuous and sympathetic consideration to—it certainly involves not only a matter of policy but a substantial expenditure, and I would think that we would be in exactly the same position as we were at that time.

Mr. QUELCH: Well, while we are on this question, would it not be possible to take it up with the department and see whether or not something could be done?

The CHAIRMAN: Mr. Quelch, I can assure you that this matter has been discussed with the board, and I can also assure you that it has been a matter of prolonged study for a number of years.

Mr. QUELCH: Mr. Chairman, might I ask a question right there.

The CHAIRMAN: Yes.

Mr. CRICKSHANK: Would it not be in order for us to make some recommendation along that line—

The CHAIRMAN: I cannot deal with hypothetical questions.

Mr. CRUICKSHANK: All right, then.

The CHAIRMAN: I suggested to Mr. Quelch that if the proposed recommendation parallels the other—I just explained to him that because of our former resolutions I would have to rule that out of order. I was not sure, but when I was pressed to make a decision that was the position I took.

Mr. CRUICKSHANK: Mr. Chairman, I would move that a recommendation be made to consider the matter of the Imperial widows' eligibility.

The CHAIRMAN: Gentlemen, I have a motion before me, moved by Mr. Cruickshank, in the following terms: I move that a recommendation be made to give consideration to the matter of Imperial widows' eligibility. I presume that Mr. Cruickshank means the eligibility of the Imperial widow under the War Veterans Allowance Act, and I assume that he is relating it to the widow of the Imperial veteran who was himself not entitled. Is there any further discussion on the amendment before I put the motion?

Mr. GILLIS: Is it in order or out of order? I would like to discuss it if you rule it in order.

Mr. GREEN: Mr. Chairman, if you are considering ruling that out of order, I would just—

The CHAIRMAN: I don't like suggesting—what I am doing is considering whether or not it is in order. There is a great difference between considering whether I am going to rule it out of order or in order, or whether I am just considering whether it is in order or not.

Mr. GREEN: Well, Mr. Chairman, before you rule it out of order, I would like to say something.

The CHAIRMAN: I think while I am looking at this motion I am going to let the deputy say a word or two about the considerations which have prevailed with the government; the reasons why no change has been made.

Mr. BURNS: Mr. Chairman, the Imperial veteran whose widow would be concerned by this, would be qualified under section 304 (b), that is; any former member of His Majesty's forces, or any of the forces of any of His Majesty's allies, or forces associated with His Majesty in war concluded on or before the 31st of August, 1941, who served during any such war and who has resided in Canada for a total period of at least 20 years. Now, as I understand it, the elements which are required for a man to qualify under this Act are (a), that he is a Canadian or was domiciled or resident in Canada, in a period which would entitle him to be considered a Canadian; and in this particular instance a period of 20 years was set and agreed to by the representatives of the Imperial veterans. Now, it is desired to see whether, in the case of a man, who, if he had lived for 20 years would have been eligible under this, but died, say, after 19 years and 6 months' residence, his widow ought to be considered a widow under the Act. I should like to know how it is proposed to effect that legislatively. Is it proposed to amend the definition of a widow?

Mr. GREEN: No, I think the general might strike out these words in lines 16 and 17, "and has resided in Canada for a total period of at least 20 years" and replace them with the words, "was domiciled in Canada prior to the 1st day of January, 1931". Then you would meet the whole difficulty and the widow would automatically qualify since the husband was domiciled in Canada prior to 1931.

Mr. BURNS: Mr. Green, that would qualify the veteran who had come to this country in 1930 and who had died two months afterwards; his widow would now be eligible?

Mr. GREEN: That is right.

Mr. BURNS: I think that one element that was considered in this when it was being approved was that the man would have to qualify as a Canadian citizen by 20 years' residence in the country on the same principle as is followed by the Old Age Assistance Act and the Old Age Security Act.

Mr. GREEN: You did not do that with the man who went overseas in the first war and served with the Imperials; the preceding clause of this very subsection deals with him in line 4 on page 12, and he only had to be "domiciled in Canada at the time he joined such force for the purpose of such war;" there was no length of residence required whatever; it was merely to be domiciled.

Mr. BURNS: It was thought of as an alternative to domicile before going over to the war. The principle is followed in various other pieces of our legislation, and the committee thought that to prove his Canadian citizenship he should have had a period of residence stipulated.

Mr. GREEN: The Imperial who went to the first war in Canada did not have to live here 20 years before. Most of them came out just a few years before the war.

Mr. BURNS: But they were domiciled, which indicated their intention of continuing to reside in Canada before they went to the war.

Mr. JUTRAS: They were domiciled in Canada before going over.

Mr. BURNS: Yes. And if it is intended that the widow of a man who had not lived here for 20 years shall be qualified, from the point of view of administration, what are we going to set as the limit? Is it going to be 19 years or 18 years?

Mr. GREEN: I would say the 1st of January, 1931.

Mr. BURNS: But suppose someone came out here subsequent to that? There would be as many cases of veterans coming after that date as of widows of veterans with residence just short of 20 years.

Mr. GREEN: Oh, no, no.

The CHAIRMAN: You may be right at the moment, Mr. Green.

Mr. GREEN: We all realize that there were none coming out in the 30's at all, or practically none; and none came out until after the second war so that it does not enter into it. They were all here by 1931.

Mr. GILLIS: Should not the qualification be "that if the widow resided in Canada?"

Mr. GREEN: That would not be as good. That would not cover it as my amendment would.

The CHAIRMAN: Mr. Cruickshank has, with the consent of the committee amended his resolution so that it now reads:

I move that a recommendation should be made to reconsidering the matter of Imperial widows whose husbands died without eligibility under the War Veterans Allowance Act.

And in that wording I feel that I must admit the motion. Our previous motion, you will remember, asked that the committee recommend that the government give continued or sympathetic study to the needs and requirements of the war veterans, which these widows are not; consequently, this is a separate matter and as such is the proper matter of a resolution. That is the point I was considering.

Mr. Green a moment ago ably suggested that I was devising some way to reject it. I will leave that matter of rejection or otherwise to the committee; but I would point out again, as I pointed out before, that this resolution, if it should carry, would in effect request the government to give serious considera-

tion to setting up a new category of people to benefit by the advantages which are not available to native born Canadian widows, either of veterans or of others. That is the motion and I will read it again:

That a recommendation be made to reconsidering the matter of Imperial widows whose husbands died without eligibility under the War Veterans Allowance Act.

All those in favour of the motion will please signify?

Mr. GILLIS: Mr. Chairman, I think it is bad tactics to force a vote on that motion.

The CHAIRMAN: I am not forcing a vote, Mr. Gillis, I am inviting a discussion.

Mr. GILLIS: I assume that after the committee completes its work on this bill it will make a report.

The CHAIRMAN: We always have.

Mr. GILLIS: When making that report, may we not set out in the report as the committee's express opinion on this matter, and on other matters that we have had the privilege of studying, that we recommend it to the government for further consideration. Now if we force a vote on this, then the committee is going to vote it down.

Mr. GREEN: Do not be so pessimistic, Mr. Gillis!

Mr. GILLIS: I am looking over the committee and I have come to the opinion that this motion will be lost. That would place us in a position where the committee can be charged with deciding against this matter, and it would preclude us from recommending further consideration in our report. We do not think it is our responsibility, because we have already voted against in it the committee, and it will be said that the committee rejected the proposal to include the Imperial veterans in whom Mr. Cruickshank's supporters are interested.

Mr. GREEN: Any such move is first approved by the committee.

Mr. GILLIS: Oh, yes. I think our report should express the opinion that further consideration should be given to the matter.

The CHAIRMAN: That is not literally true. I must compliment you. You are learning fast. You should bear in mind that the actual report of the committee has to be carried by the committee, and if you or anyone else, or any member of the committee wish to put it that way, and move the introduction of something in the report of which the majority does not approve, it will not be included in the report. Therefore, your proposition on this matter should be resolved, in my opinion, on the general question when we come to our final report.

Mr. GILLIS: That is right.

The CHAIRMAN: You are asking that the question be not put now?

Mr. GILLIS: That is right. I do not want to see a vote forced on it because if the committee votes against it, you have no right then to put it in your report for consideration.

The CHAIRMAN: There is no question about that.

Mr. GILLIS: I am reluctant to see a vote taken on this matter. I think the chairman should rule that the subject matter is a proper one for our final report, and that we consider including it at that time, rather than not to have it mentioned anymore, because that is what this vote would mean, namely, that we are through with it, and that the committee is responsible for rejecting it.

Mr. CRUICKSHANK: My opinion would be this: I ask that the record will show if we are going to make a recommendation on it, clause by clause, or finalize it at the end.

The CHAIRMAN: I advised against it, but I said it was quite proper and I accepted Mr. Cruickshank's motion.

Mr. CRUICKSHANK: On this particular subject, for instance, I have decided views, and I would be forced into a position where I have got to disagree with other recommendations which have been made. I cannot follow Mr. Gillis' line of argument. In the final report I presume there would be certain recommendations which have come in, and as to which I might disagree with Mr. Gillis or Mr. Green or anyone else; but I am being forced into a position of voting against those recommendations; therefore I think a vote should be taken on this, one way or the other, but I do not want to be forced into a position of voting against a general recommendation because I did not approve of certain aspects of it; and I do not expect any other member of the committee to be forced to vote on a general recommendation because he disapproves of the particular recommendation I make. Therefore, I think it should be considered on its merits.

Mr. GILLIS: If we vote on it now, and if it is rejected, then what happens?

The CHAIRMAN: It is dead.

Mr. GILLIS: The chairman will take the position that you have already rejected it.

The CHAIRMAN: No. The chairman has no authority under any circumstances. Once a decision of the committee is taken, it is taken for that session.

Mr. JUTRAS: On this question of the report, I think something has been overlooked. The report is considered in the committee; the report is not drafted by the chairman as such. Every item of the report is before the committee, and every item that goes into the report is debated individually before it goes into the report. It is not a question of your having to take whatever draft report is presented to the committee, that is, either take or reject the whole thing. Therefore, it is incorrect for Mr. Cruickshank to say that he would be forced to vote down the whole report on account of one section. I am sure that would not apply, because I hope we will be given an opportunity to express our opinions on each part of the report individually; and I must say that I think of Mr. Gillis' suggestion is a very good one, namely, that consideration be delayed until we come to the report.

The CHAIRMAN: The question is on the motion by Mr. Cruickshank.

Mr. QUELCH: This bill includes a definition of Imperial veteran, so far as the husband is concerned, and therefore we would not be in order, in making a recommendation on the report, that it be changed in that regard, because what we would be doing would be recommending that there be an amendment brought in at the next session.

The CHAIRMAN: No, that is not the case. This involves the expenditure of public money and as such this committee has no power to amend the bill; but the committee has the power of accepting the bill or turning it down. We are then in a position to resolve in this committee that a recommendation be made to the government that in the opinion of this committee certain things in the bill should be done. We made eight such recommendations in one committee, and half of them were actually accepted. I would not like to prophesy that that would be done in this case. With respect to this bill the committee has the right to say that in its opinion the thing goes too far or does not go far enough. The position is simply whether or not to resolve the matter now. Is there any further discussion?

Mr. BROOKS: I do not see how you can carry the sections as we go through the bill and say that the committee voted and decided to approve a certain section, and then later on, after you have approved or disapproved the section, write into the report an item saying that you disapproved.

The CHAIRMAN: You do not disapprove; you recommend a change; that is all we have the power to do.

Mr. BROOKS: I should think that the recommendation would be made on the motion of Mr. Cruickshank, and that it would be either approved or disapproved that an amendment be made. I think that in your final report you would have to make a recommendation on previous resolutions.

The CHAIRMAN: If I understood Mr. Cruickshank's motion and if it should pass at the moment, then in our report we would have to say that with respect to clause so and so, the committee resolved in the following language, and then state the language.

Mr. BROOKS: Yes.

Mr. JUTRAS: That is not the same as we have before us now. I think it is similar to what you did last year. Then you made a report on the bill, and with that report you included a few recommendations as to changes in the Act.

The CHAIRMAN: When we report this bill back, we already have one resolution appended to our report now.

Mr. GREEN: Mr. Cruickshank's amendment would go back too if it was carried?

The CHAIRMAN: Yes.

Mr. JUTRAS: Mr. Cruickshank's motion is not an amendment to a particular section, because if it were it would be out of order. However, it is a recommendation on a particular subject, but it is not definitely related to a particular section, because this committee has no power to amend the bill. That is quite clear.

The CHAIRMAN: That is correct. That is not in question.

Mr. JUTRAS: So if his motion is an amendment to a particular section, it would be definitely out of order.

The CHAIRMAN: But it is not.

Mr. JUTRAS: No. It is just a general recommendation on a particular subject.

The CHAIRMAN: Mr. Jutras is begging the point. Technically, he is quite right, but in effect, the minutes of this meeting and the results of this committee, if this should carry, when we report the bill, would make it perfectly clear to the government that with respect to this particular section the committee felt that the legislation did or did not go far enough. The question is on the resolution of Mr. Cruickshank.

Mr. QUELCH: The only difference would be in Mr. Gillis' eyes on Mr. Cruickshank's resolution, whether or not we should reach a decision today or wait until we make our report.

The CHAIRMAN: Mr. Gillis said he thought we should take it up some other day.

Mr. QUELCH: Mr. Gillis meant that it would more likely carry when we bring in our report than it would today.

The CHAIRMAN: It is not the prerogative of the chairman to read what is in the mind of a member.

Mr. GREEN: If, when we finish the bill, we do not have this recommendation included in our consideration of the bill, we cannot, under the practice, in our general report put in a paragraph dealing with this bill.

The CHAIRMAN: I shall follow the practice of my predecessors and before we report this particular bill, or when we report this particular bill, we will include in the same report such resolutions as this committee may have taken with respect to this bill.

Mr. GREEN: Once we have passed the bill?

The CHAIRMAN: Yes.

Mr. GREEN: Then would it be in order to deal with Mr. Cruickshank's resolution? I do not think it would be.

The CHAIRMAN: I have grave doubts about that.

Mr. JUTRAS: You are getting me all confused. I understood that this committee has no power to amend. I am quite clear on that.

The CHAIRMAN: So far you are not confused.

Mr. GREEN: To make a recommendation?

Mr. JUTRAS: We have no power to amend any section of the bill which involves an expenditure of money.

The CHAIRMAN: That is right.

Mr. JUTRAS: And if a particular amendment which involved the expenditure of money is related particularly to a section of the bill, how then can it be in order?

The CHAIRMAN: We are not amending the bill in the committee.

Mr. CRUICKSHANK: I think we are talking around in circles.

Mr. CORRY: Well, you started it!

Mr. CRUICKSHANK: If I am given an assurance, Mr. Chairman, that the recommendation which I have made—I realize it can only be a recommendation, and Mr. Jutras, as usual, has not grasped it at all—yet even the new member realizes that a private member cannot expend funds and that it must come from the government. I certainly hope to have the privilege of being here a few years more, and I think that private members will realize that a private member is still privileged in making a recommendation; so if I am given an assurance by you, Mr. Chairman, that the substance of what I have said is included in our general recommendations at the end of our deliberations, then I will withdraw my motion.

The CHAIRMAN: I want to make it perfectly clear: In the first instance, the motion which you made, Mr. Cruickshank, is clearly in order, and if it carries at the present moment, then when we complete the discussion of this bill 181, and when I say: "Shall I report the bill?", and if the committee should agree, then we will have prepared, or I will have prepared a report to the House stating that the committee has considered bill 181 and has passed it without amendment, because we cannot amend it, and I will append thereto certain resolutions of this committee with respect to the bill.

Mr. CRUICKSHANK: What is wrong with that?

The CHAIRMAN: If this motion before us is carried at the moment, it will be appended to that report; but if it is not carried, it will not be appended to that report. Let me get this straight: Once we have reported that bill, with or without recommendations, and proceeded to discuss another bill, and once that bill is reported back to the House, we are finished with that particular legislation. Our third or fourth report will have done that; and it would not be, I think, proper for me to permit a general resolution in our final report which would deal with whatever our last piece of business is. I think it is proper when we come to consider the report of this committee on this bill, for someone to move in this language, that same resolution. There is no question about that; it is just a question of whether you want to vote on it now or vote on it twenty minutes from now.

Mr. GILLIS: Suppose we vote on this resolution now, Mr. Chairman, and suppose it is rejected?

The CHAIRMAN: Then it is dead.

Mr. GILLIS: That would preclude our including it in our final report?

The CHAIRMAN: That is correct. The committee can only resolve on one matter once.

Mr. GREEN: And the minute this bill is passed, it precludes it.

The CHAIRMAN: No, I have ruled that the committee has the right to append. We are not through with this bill, and when I shall ask: "Shall I report the bill?", then the committee has the right to say "Report it," and I would simply report the bill with the amendment to this particular bill. I already have a resolution carried by this committee which must be included in the report which reports the bill. You appreciate that?

Mr. QUELCH: And once we pass this bill, and once this motion has been put and it is voted down, it could not be put in the report?

The CHAIRMAN: There is no difference there. I think that the results would be identical.

All those in favour of Mr. Cruickshank's motion will please signify in the usual manner?

Opposed, if any?

I declare the motion lost.

The question then is shall section 30 carry?

Carried.

Shall section 31 carry?

TRANSITIONAL AND REPEAL

Continuation of Allowances. 1946, c. 75.

31. (1) Subject to this section, every person who, immediately prior to the coming into force of this Act, was eligible for and in receipt of an allowance under *The War Veterans' Allowance Act, 1946*, shall be deemed to have been awarded, on the day this Act comes into force, the allowance under this Act for which he is eligible.

Male Veterans Aged 60. 1946, c. 75.

(2) Paragraph (a) of subsection one of section three shall be deemed to include every male veteran who, immediately prior to the coming into force of this Act, was eligible for and in receipt of an allowance under *The War Veterans' Allowance Act, 1946*, by reason of his having attained the age of sixty years.

Increase of Allowances for 1952. 1946, c. 75.

(3) Every person who, immediately prior to the coming into force of this Act, was in receipt of an allowance under *The War Veterans' Allowance Act, 1946*, may be paid, in addition to the allowance for which he is eligible under this Act, the amount that he would have been eligible to receive under this Act if this Act has been in force for the whole of the calendar year nineteen hundred and fifty-two, less any amount that he was eligible to receive under *The War Veterans' Allowance Act, 1946* in respect of that portion of the calendar year nineteen hundred and fifty-two prior to the coming into force of this Act.

Recovery of Overpayments. 1946, c. 75. 1930, c. 48.

(4) The provisions of this Act and the regulations relating to the recovery of overpayments of allowances apply in respect of overpayments of allowances made under *The War Veterans' Allowance Act, 1946*, or *The War Veterans' Allowance Act*, chapter forty-eight of the statutes of 1930. *Repeal.* 1946, c. 75 S. 25(6) *Deemed in Force.* 1946, c. 75.

32. (1) *The War Veterans' Allowance Act, 1946*, is repealed

(2) Subsection six of section twenty-five of this Act shall be deemed to have been substituted for subsection seven of section three of *The War Veterans' Allowance Act, 1946*, on the first day of January, nineteen hundred and fifty-two.

Gentlemen, there is an amendment which the department has for distribution. It will only take a moment to get it around to you. They are amending section 31, and this is the amended section 31 which is being submitted to the committee. The minister announced in the House that this legislation would be made retroactive to the 1st of January of this year to those persons who were in receipt of war veterans' allowance as of the 1st of January this year, and I am sure you will approve the purpose of the amendment, which is to extend a retroactive principle to those applicants for war veterans' allowance who have made application since the first of January of this year, but who have failed to get entitlement because they could not qualify under the then existing legislation, but who would have qualified if the new bill had been in force at that time. In other words, this is just an amendment which is designed to broaden the scope of those who might benefit under the retroactive principle. Is there anything further to add to it, Mr. Gunn?

Mr. GUNN: I do not think so

The CHAIRMAN: You have copies of the amendment. The change appears in section 2 which states as follows:

31. (2) Every person who, immediately prior to the coming into force of this Act, was in receipt of an allowance under *The War Veterans' Allowance Act, 1946*, may be paid an additional allowance equal to the amount that he would have been eligible to receive under this Act in respect of the period between the first day of January, nineteen hundred and fifty-two, and the coming into force of this Act, if this Act, except section four, had been in force during that period, less any amount that he was eligible to receive under *The War Veterans' Allowance Act, 1946* in respect of that period.

(3) Every person

(a) who was awarded an allowance under *The War Veterans' Allowance Act, 1946*, whose allowance was discontinued and was not being paid immediately prior to the coming into force of this Act, for the reason that the amount of his income rendered him ineligible for the allowance, or

(b) who, prior to the coming into force of this Act, applied for an allowance under *The War Veterans' Allowance Act, 1946*, but was not granted the allowance for the reason that the amount of his income rendered him ineligible for such an allowance, may apply for and be granted an allowance in respect of the period between the first day of January, nineteen hundred and fifty-two, and the coming into force of this Act equal to the amount that he would have been eligible to receive under this Act in respect of that period if this Act, except section four, had been in force during that period, less any amount that he was eligible to receive under *The War Veterans' Allowance Act, 1946* in respect of that period.

In other words, if he would have won in January, February, March, April, May, or the 1st of June, under the new Act he wins back to the date of his application. It is supplementary.

Shall section 31 as amended carry?

Mr. GREEN: There is provision here which I think should be given some thought, that is subsection (4); it is not covered by this amendment; and as I read it, it makes the provision in the new bill concerning overpayments retroactive over a period of years; I do not understand why that is done. The Legion objected to that in their paragraph 11 where they said:

"11. Finally in respect of the bill, we would draw attention to Section 31 (4) which would appear to retroactively validate claims for overpayments by the department which resulted from other than fraudulent misrepresentation or wilful non-disclosure under the present Act, and as I have already stated, the Department of Justice have ruled that such recoveries cannot be made."

I think it is a bad feature to make these provisions retroactive especially where there has been a tightening of the regulations. I doubt whether it is necessary to put in that particular clause.

The CHAIRMAN: Before I ask Mr. Gunn to speak to that, I think we should recognize the fact that the Legion has put too broad an interpretation on it.

Mr. GUNN: I think, perhaps, the committee would be well advised to take a look at the first subsection of section 32 from which it will be noted that the old Act is repealed; it follows that if nothing were said with regard to the recovery of money, the right to recover under the old Act would be gone, therefore this subsection (4) of section 31 merely provides that any right of recovery under the old Act would be continued under the new Act.

The CHAIRMAN: Shall section 31 as amended carry?

Carried.

Shall section 32 carry?

Carried.

Shall section 1 carry?

Carried.

I have omitted something on page 16. Shall schedule A, the table of allowances, carry?

Carried.

Mr. LENNARD: Mr. Chairman, I wish to make an amendment: "That it is the opinion of the committee the government should give consideration to increasing the amounts specified in schedule "A" and schedule "B"."

The CHAIRMAN: That amendment, gentlemen, has clearly paralleling in it another recommendation already dealt with. The wording of it was: "the committee recommends to the government the continued and sympathetic study of the needs and requirements of recipients of war veterans allowance keeping in mind the recommendations of the veterans organizations in that respect and particularly with regard to permissive income." For the same reason that I was forced to disallow the resolution by Mr. Brooks the other day I would have to rule that Mr. Lennard's motion is out of order; it has already been dealt with.

Mr. BROOKS: You ruled it out of order at that time because you stated it contained the recommendations of the veterans organizations. In my resolution as well as in this one no mention was made of veterans organizations resolutions. Our recommendation was specific and apart.

SPECIAL COMMITTEE

The CHAIRMAN: Mr. Brooks, if you will permit me, I was quoting you the rules of the committee which state that a resolution which presented substantially the same matter was out of order; and, of course, that is the authority.

Shall schedule "A" carry?

SCHEDULE A

TABLE OF ALLOWANCES

| I. Class of Recipient | II. Monthly Rate | III. Maximum total annual income (income plus allowance) |
|---|--|---|
| 1. (a) Unmarried veteran without child..... | \$50 | \$720 |
| (b) Widow without child or not residing with child..... | | |
| (c) Widower without child or not residing with child..... | | |
| (d) Married veteran not residing with spouse, and without child or not residing with child..... | | |
| 2. Married veteran residing with spouse..... | \$90 | \$1,200 total for veteran and spouse |
| 3. (a) Widow residing with child..... | \$90 | \$1,200 |
| (b) Widower residing with child..... | | |
| (c) Married veteran deserted by spouse and residing with child..... | | |
| (d) Divorced veteran residing with child..... | | |
| 4. Married veteran residing with spouse who is blind within meaning of <i>The Blind Persons Act</i> | \$90 | \$1,320 total for veteran and spouse |
| 5. One orphan..... | \$40 | \$600 |
| 6. Two orphans of one veteran..... | \$70 total for the two orphans | \$1,000 total for the two orphans |
| 7. Three or more orphans of one veteran..... | \$85 total for the three or more orphans | \$1,200 total for the three or more orphans |

Shall schedule B carry?

Carried.

SCHEDULE B

| I. Class of Recipient | II. Monthly Rate | III. Maximum total monthly income (income plus allowance) |
|---------------------------|---------------------|--|
| 1. Unmarried veteran..... | \$50 | \$60 |
| 2. Married veteran..... | \$90 | \$100 total for veteran and spouse |

Shall the title carry?

Carried.

Shall I report the bill?

Agreed.

Just one minute; shall the bill as amended carry?

Carried.

Now, I shall in accordance with usual practice prepare a brief report before this is returned to the House and bring it back to the committee embodying our resolutions.

When the committee meets again on Thursday next, we will deal with bills 182 and 183.

Mr. BROOKS: Bill 183 is the insurance bill, is it not?

The CHAIRMAN: Yes, we will deal with 183 and then 182.

EVIDENCE

JUNE 17, 1952

4:00 p.m.

Mr. CROLL: Gentlemen, Mr. Mutch is not well today and has not been able to come here for the meeting, he asked me, with your consent, to act as chairman of this meeting. If that meets with your consent I will be very glad to be helpful.

Now there is a quorum, gentlemen, so suppose we deal with the three small bills before us.

Bill No. 183, the Veterans Insurance Act. General Burns, would you say something about the bill?

Mr. E. L. M. Burns, Deputy Minister, Department of Veterans Affairs, called:

The WITNESS: As the minister explained at the resolution stage in the House, this bill is essentially to correct an error that was made last year, an error of the department, I am sorry to say, when we were considering the amendments to the Insurance Act in this committee. Section 11 of the Veterans Insurance Act as it now stands is printed in the explanatory notes. It was intended when we amended the Insurance Act last year to repeal it so that it would be possible for an estate to be paid the face value of the insurance policy instead of the reduced amount payable under the Act as it now stands. As those who were members of the committee last year will recall, it was proposed to use section 11 of the Act, after it had been repealed, to put in a provision with regard to certain restrictions, on the payment of benefits by inserting a war risk clause into the insurance policy. That was objected to, and after consideration it was withdrawn. In withdrawing it, we withdrew the whole clause and, incidentally, the part of the clause which repealed section 11 of the Act. We now propose to correct the error which was made at that time, and it will be noted in section 2 of this bill that the Act shall be deemed to have come into force June 30, 1951, thus being retroactive to the time when the other amendments to the Act were made.

The ACTING CHAIRMAN: That seems straightforward.

Shall section 1 carry?

Carried.

Shall section 2 carry?

Carried.

Mr. BROOKS: Mr. Chairman, I would like to bring up the point I brought up in the House the other day when we were considering the resolutions. Now, I am in entire agreement with this amendment here. It is a necessary amendment and I think the Act is a pretty good Act, but there is a section that is very similar to this one, that is section 10, and it has been discussed in the committee in the past and there have been quite a number of recommendations made at different times regarding it. Under section 10, if the insured dies and leaves a widow or a beneficiary who is entitled to a pension, why, the widow just receives, she does not receive the full amount of the insurance, but she will receive an amount equal to the premiums which have been paid in. Now, that always seemed to me more or less of an injustice, and I think that since

the pension fund is in a very good state—I have been looking up the records here—I think we could very well pay the full amount to the widow no matter whether she receives a pension or not, because the veteran has been paying in his premiums for a number of years, sometimes for a long number of years, and it does seem unfair to me that when premiums are paid and insurance taken out, that the full amount of the pension is not paid on the death of the insured.

I would like to ask the deputy minister—I realize that I cannot move an amendment to that effect, because it would be out of order—but I would like to ask the deputy minister about how many cases are affected under section 10 of the Act and what saving there is to the department by this regulation or policy which they have regarding paying only part of the insurance of these people I have mentioned.

THE WITNESS: Mr. Chairman, I would ask the Superintendent of Insurance, Mr. Black, who is here, to answer if he can the questions which Mr. Brooks has put as to the numbers. As to the savings, I think possibly that may be a little difficult to answer, but we can give you the number of cases that have occurred. Could you do that, Mr. Black?

MR. C. F. BLACK (*Superintendent of Insurance, Department of Veterans Affairs*): Up to March 31, we had approved in veterans insurance, and that is distinct from returned soldiers insurance, the World War I insurance, a total of 546 death claims, of which 190 were settled under this section.

MR. BROOKS: Under section 10?

MR. BLACK: Yes, under which the pension was awarded on the death of the insured.

THE ACTING CHAIRMAN: Would you just, for the benefit of the committee, give us an explanation of section 10? We are not all as well acquainted with that as Mr. Brooks is.

MR. BLACK: Section 10 of the Veterans Insurance Act provides that if on the death of an insured a pension under the Pension Act is awarded the amount of the insurance is reduced if death occurs during the premium paying term. For instance, on a 20-year payment life, if the man dies anywhere during the 20 years, the amount paid is less than the face amount, generally speaking, if he lives more than six months, \$500 is exempt from the provision, but usually during the rest of the premium term the amount payable is roughly in proportion to the part of the term that has elapsed. I can illustrate by saying that on a \$5,000 policy, 20-payment life, if a man lives eight years we would pay \$500 plus approximately 8/20 of the remainder, which is \$4,500. If he survives 15 years, we pay \$500 plus 15/20. That is the basic principle. The exact figure depends on the plan and the age of the insured.

THE ACTING CHAIRMAN: What were you thinking, Mr. Brooks—that all of it should be paid?

MR. BROOKS: I was thinking that where the man is insured the full amount should be paid. I was just wondering what savings would be effected by it. You say you have 190 cases. Would 50 per cent of the amount of the insurance be saved? Would his widow receive 50 per cent of the amount of the insurance that he otherwise would receive?

MR. BLACK: On the 190 claims settled to date the face amount was \$576,000, and the total amount of settlement, the total amount authorized in payment was \$139,079. The provision was included in the Act for basically the same reason it was included in the World War I Act, the Returned Soldiers Insurance Act, mainly because this insurance was designed for the protection

of families of soldiers who were disabled through the war in such a fashion that would shorten, perhaps materially, their life expectation, but on their death, which might well occur from a cause non-pensionable, no pension would be awarded. The widow of such a man would get no pension and if he could not get outside insurance she would have a negligible estate, whereas if he had returned soldiers or veterans insurance at least there would be something payable, and if there was no pension awarded the face amount would be payable.

Mr. BROOKS: Is it generally understood by the veterans when they are insuring that this principle is in force? Is there any clause in the policy, for instance, that would acquaint them with this?

Mr. BLACK: There was a booklet we used for some years which described it, and since then we had a leaflet which mentioned the fact that if a pension is awarded during the premium term the face amount is reduced, and there is a clause in the policy which explains it.

Mr. BROOKS: That explains it, because I know it is a shock to a good many widows to find out they are getting only a portion of the insurance when they are expecting the full amount.

Mr. BLACK: I know. In some cases the policy holder does not fully understand it himself or does not inform his wife.

The ACTING CHAIRMAN: I think the concern that Mr. Brooks is speaking of is shared by all of us, but I do not think the soldier hides it from his wife, I do not think he knows it. Mind you, he does not read the fine print.

Mr. BLACK: The fine print is difficult to understand.

The ACTING CHAIRMAN: Then I do think it would be well if in some way the matter was brought to his attention so that he knew about it. There should not be any doubt about it.

Mr. GEORGE: I happen to have one of these policies and I am not as stupid as some—neither am I as bright as others—and this is the first time in my experience that I have known that clause was in there. I agree with Mr. Brooks that while this is not the place to do it, consideration should be given to removing that section.

The ACTING CHAIRMAN: Gentlemen, I think it is a well-intentioned matter that should be brought to the attention of the department. The deputy who is here has heard the discussions on it; I think he can sense the feeling of the members on this, too, it is unanimous, and he ought to keep it before him for consideration. That is about all we can do with it, Mr. Brooks.

Mr. HERRIDGE: Would the committee recommend that every effort be made to inform the veteran exactly of this clause?

The ACTING CHAIRMAN: I think, Mr. Herridge, I indicated what the committee was thinking. I asked Mr. Black that he should do that.

The WITNESS: I will recommend to the minister that suitable measures be taken to bring this to the attention of all veterans, certainly those who are veterans and holders of the insurance.

The ACTING CHAIRMAN: Shall the title carry?
Carried.

Mr. BROOKS: I do not think it goes far enough.

The ACTING CHAIRMAN: Well, it is progress.

Shall I report the bill?

Agreed.

Now we will take up consideration of Bill 182, an Act to amend the Veterans Benefit Act, 1951.

Have you anything to say on that, General?

The WITNESS: Mr. Chairman, as the House was informed at the resolution stage, the proposal is to merely extend the life of the present Act for a further year. It would expire on the last day of this session, otherwise. The members of the committee perhaps might be interested to hear some statistics in regard to the numbers who served in the Korean theatre of operations and the benefits which have been paid out under the Act.

The ACTING CHAIRMAN: Yes, by all means.

The WITNESS: In accordance with the statement which was made by Mr. Claxton in the House, and is in *Hansard* under date of April 3, 1952, 14,183 persons have served, in all services, in the Far East. Of this, up to the 3rd of June, 127 were killed, 21 died of wounds, 600 were wounded and there were 69 other casualties, of which only 1 is a prisoner of war, 7 missing, a total of 817 casualties. Up to the 14th of June, the number of war service gratuities paid is 1,092, the average amount being \$161.43. Up to the same date 944 re-establishment credit accounts have been set up, the average credit being \$129.32. There have been only 4 applications for university training, and the applicants are now in training, whereas there have been 25 applications for vocational training. 15 are in training and 7 have been approved but have not commenced yet, and 3 have completed training, a total of 25. 21 veterans have applied under the Veterans Land Act: 6 of them have qualified and 15 are still under consideration. The Department of Veterans Affairs has made contributions to the unemployment insurance benefits of veterans in 3,281 cases. Then there have been 75 disability pensions granted and 45 pensions to dependents. In addition, 21 gratuities for disabilities less than 5 per cent have been paid. Further than that, hospitalization in the same classes that were used after World War II has been given in varying numbers to an average of around 50 patients at any one time. It will be noted that comparatively few eligible veterans have applied for training benefits or have applied under the Veterans Land Act. That is because the great majority of those who were in the theatre of operations were serving on engagements with the regular forces or have subsequently re-engaged with them. These men in the great majority of cases will be taking their benefits in the form of re-establishment credits. While in World War II, as members of the committee will recall, no gratuities were paid, except when the man was discharged from the forces, until after hostilities had ceased, a decision has recently been taken to pay gratuities to members of the forces who are still serving in the regular forces after they have returned from the theatre. It is probable that a similar decision with regard to the payment of re-establishment credits will be reached shortly.

Another matter which may be of interest is that an order in council dated June 3, 1952 provides for a civilian clothing allowance of \$100 for those who served in the Special Force and are discharged or released from the services, and such veterans may also be paid rehabilitation grants of one month's pay, and marriage allowance. In other words, the same provision regarding clothing and marriage allowance as in the case of those who have served six months in World War II.

Mr. HERRIDGE: Mr. Chairman, could we have an explanation as to the reason why we are extending the life only one year?

The WITNESS: It is hoped that there will be some finality to this next year. You will recall that during World War II, up to 1946, all rehabilitation benefits were governed pretty well by orders in council under the War Measures Act, which we do not have at the present time. Essentially the Veterans Benefit Act gives authority to carry on the bulk of the benefits which I have described,

and which are similar to World War II benefits, by order in council. It was thought that parliament would wish to review this annually and, consequently, no more than one year's authority at a time is being sought. When the hostilities come to an end in Korea we will be able to finalize the benefits payable.

Mr. GREEN: Are these benefits only available to the men who served in Korea or do they apply also to the men in Europe?

The WITNESS: The only benefits available to those who serve in Europe, Mr. Chairman, are reinstatement in civil employment and the unemployment insurance benefits. They are treated as if they were in insurable employment, so that when they come out they are eligible for unemployment insurance if they cannot get a job.

Mr. LENNARD: They do not get any clothing allowance?

The WITNESS: No, sir.

The ACTING CHAIRMAN: Shall section 1 carry?

Carried.

Shall the title carry?

Carried.

Shall I report the bill?

Agreed.

Now we will take up Bill 334, an Act to amend the Army Benevolent Fund Act, 1947. General, you may have an observation to make on this bill?

The WITNESS: A pretty full explanation of what it was intended to do with this bill was given by the minister in the House. In the first place, representations were made to the government that the rates should be raised somewhat, and after some negotiations it was decided that on the portion of the fund, which could be considered to be relatively a long term investment, the rate of $3\frac{1}{2}$ per cent would be paid, whereas the remainder, which might probably be withdrawn within a few years and distributed to veterans, would remain at the present rate of $2\frac{1}{2}$ per cent. Then, of course, this increased rate of interest on the bulk of the fund, or rather on better than half of the fund, will of course mean that more funds eventually will be available for distribution.

By Mr. Thomas:

Q. Is this being extended to naval and air force veterans as well?—A. Mr. Chairman, those are not within the purview of this at all, and I think their set-up is on a completely different basis. They are under different Acts altogether.

Q. I realize they are under different Acts, but I did not think they were set up differently.—A. The air force, for example, simply invest their funds on their own in various classes of securities. They are not in the government's custody.

By Mr. Cruickshank:

Q. How much of the fund has been expended?—A. I may say that 6,631 grants have been made under the Army Benevolent Fund up to March 31, 1952.

Q. How much does that amount to?—A. I cannot say exactly, but Mr. Chadderton, secretary of the fund, is here, and perhaps he could inform you.

Mr. HERRIDGE: I would suggest that this is quite interesting to a lot of veterans, and I would suggest that Mr. Chadderton take a seat at the table.

The ACTING CHAIRMAN: Certainly. Come up here, Mr. Chadderton.

Mr. H. C. Chadderton, Secretary, Army Benevolent Fund, called:

MR. CRUICKSHANK: Now, Mr. Chairman, in order to make my question fair to Mr. Chadderton, what was the total amount—I am speaking now of the Army Benevolent Fund. How much has been expended up to the present date?

The WITNESS: Yes, Mr. Chairman, the total amount turned over to the Army Benevolent Fund in accordance with the Army Benevolent Fund Act was roughly \$9 million. The total benefits to date from the fund in direct financial grants is \$917,000, roughly. The exact figure is \$917,989.

The ACTING CHAIRMAN: You have had 6,631 applications?

The WITNESS: That would represent 6,631 awards.

MR. BROOKS: How much is the fund being reduced, that is, taking into account the interest the government has been paying, the 2½ per cent interest, what is the fund today?

The WITNESS: The depletion of the fund has been nil, that is to say, we have received interest since the coming into force of the Act in 1947, and that interest has just about balanced what we have actually spent.

MR. CRUICKSHANK: And how was that spent? Have you the records?

The WITNESS: I can give you no breakdown of the expenditure of that amount which was spent by the Army Interim Benevolent Fund prior to the coming into existence of the Army Benevolent Fund Act, although the total—

By the Acting Chairman:

Q. What is the date of Incorporation of the Army Benevolent Fund?
—A. The Army Benevolent Fund came into existence commencing November, 1948, and we took over from the Army Interim Benevolent Fund on a province by province basis, and the taking over, I would say, took nine months.

Q. Well, give the date, the best information you can as of a starting point when you were in control and help him if you can, before you took over.
—A. Well, the figures for the last fiscal year, that is, the fiscal year ended March 31, 1951, are as follows:

Prince Edward Island, \$9,000; Nova Scotia, \$39,000; New Brunswick, \$23,000; Quebec, \$54,000; Ontario, \$80,000; Manitoba, \$32,000; Saskatchewan, \$16,000; Alberta, \$43,000; British Columbia, \$27,000; United States, \$700; United Kingdom, \$723, and Army, \$35,870.

I think your committee, Mr. Chairman, would require an explanation in connection with that last figure. We do not keep the expenditures for World War II veterans in the army on a provincial basis, because of the mobility of the army. The figures on a provincial basis would mean nothing; consequently, we concentrate those all under one figure, irrespective of province. The total expenditure as represented by those figures for all provinces and the army was \$364,580.

MR. BROOKS: What is the cost per year for the administration of the fund?

The WITNESS: Last year, Mr. Chairman,—if I could correct that please, the fiscal year ended March 31, 1951, the administrative expenses were \$63,000. As some of you may know, that figure was recently questioned by the Public Accounts Committee and we were able to indicate that a great proportion of that was represented by organizational costs, that is to say, we had to hire people, paying salaries, have them setting up agencies, doing staff training, etc. That is in connection with the \$63,000 figure for the fiscal year ended March 31, 1951. Administrative expenses for this year were \$45,000 roughly, plus other expenses of \$6,800. In explanation, Mr. Chairman, at the suggestion of the Auditor General we have broken down those figures which formerly

we were showing as administrative expenses into three headings: administrative expenses, which includes part of the salaries, travelling expenses for staff, telephones, telegrams, etc.; other expenses, which include the expenses for the board and committees, which incidentally are very low, and such things as office equipment and maintenance; and the third heading is referral, representation and debt adjustment service. That is a service which the fund provides in administering awards of financial assistance. The referral and representation part of it represents instances where it is necessary for this fund to make representations to other organizations, where they can assist under their regulations, and the debt adjustment part is where employees of the fund perform a debt adjustment. An illustration would be as follows: A veteran may be \$500 to \$600 in debt, and our maximum grant in the usual case is \$300. Consequently we set about to consolidate those debts and settle them at so much on the dollar, of course with the concurrence of the creditors, and we are spending some money in connection with that service. Just to review that, on the request of the Auditor General we have broken down these administrative expenses this year under three headings.

The ACTING CHAIRMAN: Before you get into that, Mr. George has a question.

By Mr. George:

Q. In those figures showing breakdown by provinces, how many of those are loans, or are there any loans?—A. No.

Q. They are all direct payments?—A. Yes.

Q. Do you make any loans?—A. No, under the Act we are not permitted to recover moneys paid out from the fund. Consequently all of our assistance is by way of outright grant.

The ACTING CHAIRMAN: Do I understand that in 1951 your administrative expenses lumped together were \$63,000 and in 1952 your administrative expenses were \$45,000 plus \$6,000, which was \$51,000, showing a reduction.

The WITNESS: Showing an actual reduction in the administrative expenses.

By Mr. Cruickshank:

Q. Some of the members of the committee would like you to give us a brief outline—we do not expect you to go into details. I will use my own province as an example, British Columbia. Who recommends or approves, which will apply to all provinces, in the case of a grant?—A. In British Columbia there is a committee whose headquarters is in Vancouver. The chairman of that committee is Colonel C. K. Wills, a veteran of both wars, and the other members are Colonel Oscar Orr, the city magistrate, and a young fellow by the name of Byng Giraud, who was a corporal serving with the Seaforths, and is now manager of a building products concern. That committee has complete responsibility in the province of British Columbia to say yes or no in connection with all applications for financial assistance.

Q. I would like to know, also, for the benefit of all, and I will use my own province again, supposing a veteran in my riding wanted to apply, whom does he apply to?—A. Well, Mr. Chairman, in all provinces we use the Department of Veterans Affairs, including their itinerant welfare service, that means that there are veterans' welfare officers covering the entire district or province, as it is in British Columbia, who can counsel applicants to the fund and accept applications on their behalf. That might be called the main system and it is augmented by veterans' officers of the Unemployment Insurance Commission and Settlement supervisors of the Veterans Land Act. In addition to that, where the committee and/or the board feels that the coverage is not sufficient, additional agents will be established. In British Columbia this includes the social welfare services of the provincial government.

Mr. CRUICKSHANK: We haven't got one.

The ACTING CHAIRMAN: He means it's a government they haven't got, they have social service agencies.

The WITNESS: We are receiving, as a matter of interest to the committee, something like 5 or 10 very good applications every month from the British Columbia provincial social welfare services, and we also use what we call the independent social welfare agencies such as the Vancouver Family Agency and we use veterans' organizations, such as the Legion branches and branches of the Army, Navy and Air Force Veterans.

Br. BROOKS: Have you the same set-up in other provinces?

The WITNESS: Yes.

Mr. CRUICKSHANK: One more question, Mr. Chairman. I am not asking this in a political way but as a matter of record, because the Legion gets this record. Again, would you repeat the maximum grant that you can make?

The WITNESS: \$300 is the maximum award. In practice it is the maximum which a committee can award, and under the Act, if the committee requires more than \$300, the case may be referred for a decision to the board.

The ACTING CHAIRMAN: And how much can the board grant?

The WITNESS: There is no ceiling, Mr. Chairman.

Mr. HERRIDGE: What is the normal type of applicant? I am quite sure in the interior of British Columbia there is very little known about it. We had a canteen fund once and 80 per cent of it was spent in Vancouver.

The ACTING CHAIRMAN: I am going to advise the witness to stay out of that argument if he can!

Mr. HERRIDGE: Can the witness give us an example of the normal case?

The WITNESS: I wonder if I might give five. We have five categories and we are attempting to spend equally as much in each. The first category is sickness and accident. The normal type of case there is a fellow on a salary of \$150 to \$170 a month, with two or three children, who has a medical need which would run anywhere from \$300 to \$700. This is an average case all the way through. That man will apply to the fund and the fund will, if the case qualifies, of course, accept responsibility to solve his problem. It does not mean entirely that we pay his medical bills, because quite often it is necessary to set up this fellow on a budget and work out a debt retirement plan, if he can pay any part of his debts himself, and the fund will accept the responsibility to pay off the remainder of his debts. That is what we call a medical or category A case. Category B case is one in which the board is very interested. We call it a removal—head of the household and it is a type of case where the veteran has been removed for reasons of death or sickness, or perhaps posted overseas if he is in the army, or something of that nature, leaving a financial problem brought about by this removal. Working with our agents or the Department of Veterans Affairs fellow, we will work out a solution to that financial problem, which quite often is a matter of relocation. If the wife's folks perhaps live in the interior and she has been living in Vancouver, it is a matter maybe of sending her home to her mother and father and giving her the necessary money to establish herself. But that is the simple case, and they run all the way to complicated cases where we may put the wife in training as a stenographer, pay the maintenance costs in the meantime, get a family in to look after the children, and the results do not show for six months, but at the end of it she may have a salary of \$130 or \$140 a month.

Mr. CRUICKSHANK: If a man has got into trouble, say he is sent to the penitentiary or jail, would his wife be helped? Would he be eligible?

The WITNESS: Yes, he would be eligible to apply. The application would be in his name. The wife would make it. We would work with the Salvation Army, the John Howard Society, the Classification Officers of the Penitentiaries, or with the welfare services and agencies in the various places.

The third category is known as damage or destruction. That is usually fire or flood, and where the man has lost something which is essential to his daily requirements we attempt to use the fund in the rehabilitation phases of this thing, and consequently we set out in our referral and representation efforts to get all other sources to contribute, which of course includes the Red Cross, the Legion and army, navy and other veterans' organizations. And when we have met the immediate need, then we lay down a plan for the long-term need such as, perhaps, a rebuilding, in the case of a house, and we spend our money in-establishment, that is the third category. The fourth category is called "Temporary dislocation of income". It covers all of those cases where the man has had a temporary dislocation of income. There is a solution because, he is going back into employment, or if it is an agricultural case, he will have a crop if things go well, but there will be a temporary period when he is without income; it is simply a way of attempting to breach that gap. And I would ask the committee to note that there has to be a solution to all these cases; it does not mean we are paying unemployment insurance or paying for unemployment cases; it means that where there is temporary dislocation only, it can be taken care of. The fifth category is called "Retarded Rehabilitation" and it takes in everything else. The usual case is a good sound veteran who has gone astray for some legitimate reason or other. What he needs is financial assistance with which to buy, let us say, truck tires, or to let him get on with his reestablishment as it has been set up in DVA. There is no specific or sample case under that category, because they vary quite widely.

The ACTING CHAIRMAN: I think we have had a pretty full discussion.

Mr. HERRIDGE: May I ask if the provincial people in some cases are informed of these categories when they are dealing with destitute people? Are they informed that there are funds available, and certain categories under which they can receive assistance?

The WITNESS: We have conducted an intensive publicity campaign which included articles in Veterans' magazines and in daily newspapers. It also included sending summaries to all interested organizations, such as Citizens Rehabilitation Committees and the Canadian Defence Association and to anyone who might have an interest in veterans. They received a one page summary. And it went out in your province, Mr. Herridge, through provincial government sources. We have attempted to reach every conceivable source with a one page explanation of what the fund is, with the thought in mind that if they run into a veteran who appears to require our help, they will refer the case to us or to D.V.A.

Mr. DINSDALE: Do recent enlistees other than World War II veterans come under the terms of this Act?

The WITNESS: Only if they have served in World War II.

The ACTING CHAIRMAN: No, no.

The WITNESS: I might say that 50 per cent of the present Canadian army active force is eligible to apply through the Army Benevolent Fund, but the others are not eligible as they have no qualifying service in World War Two.

The ACTING CHAIRMAN: Does section 1 of the bill carry?

Carried.

Does section 2 carry?

Carried.

Does the title carry?

Carried.

Shall I report the bill?

Carried.

I have a memorandum which Mr. Mutch left for us; it is a study of those veterans granted the war veterans allowance in 1934 and 1935. Mr. Mutch in his memorandum, said that he spoke to one or two of the members of the steering committee and they thought it would be advantageous to have it in our records. There is nothing controversial about it; and he suggested that it be appended to our last meeting.

Mr. BROOKS: What are they?

The ACTING CHAIRMAN: It is a study of those veterans granted war veterans allowance during 1934 and 1935. Mr. Rider will give us some evidence on it.

I have a draft report of last Wednesday's meeting which we will now consider.

The Special Committee on Veterans Affairs begs leave to present the following as its

THIRD REPORT

Your Committee has considered Bill No. 181, An Act respecting Allowances for War Veterans and Their Dependents, and has agreed to report the said Bill with an amendment.

Your Committee considered certain other proposed amendments to Clauses 3, 6 and 31 of the said Bill, but as these amendments would result in an increased charge upon the public, your Committee is of the opinion that it has no option, under the Rules of the House and the terms of its Order of Reference, but to report the said clauses without amendment. Your Committee would, however, recommend that the Government give consideration to the advisability of introducing the following amendments to Bill 181:

1. That in paragraph (a) of subclause one of clause three the words "sixty-five" be deleted and the word "sixty" substituted therefor; That has been accepted by the government already.

2. That subclause one of clause six be amended by inserting after paragraph (h) the following:

- (i) interest on bank deposits and bonds and dividends on shares in the capital stock of any company to the extent of twenty-five dollars per annum from all such sources;

That also was accepted this morning.

and by relettering the present paragraph (i) as paragraph (j):

3. That subclauses two and three of clause thirty-one be deleted and the following substituted therefor:

- 31. (2) Every person who, immediately prior to the coming into force of this Act, was in receipt of an allowance under The War Veterans' Allowance Act, 1946, may be paid an additional allowance equal to the amount that he would have been eligible to receive under this Act in respect of the period between the first day of January, nineteen hundred and fifty-two, and the coming into force of this Act, if this Act, except section four, had been in force during that period, less any amount that he was eligible to receive under The War Veterans' Allowance Act, 1946, in respect of that period.

(3) Every person

- (a) who was awarded an allowance under The War Veterans' Allowance Act, 1946, whose allowance was discontinued and was not being paid immediately prior to the coming into force of this Act, for the reason that the amount of his income rendered him ineligible for the allowance, or
- (b) who, prior to the coming into force of this Act, applied for an allowance under The War Veterans' Allowance Act, 1946, but was not granted the allowance for the reason that the amount of his income rendered him ineligible for such an allowance,

may apply for and be granted an allowance in respect of the period between the first day of January, nineteen hundred and fifty-two, and the coming into force of this Act equal to the amount that he would have been eligible to receive under this Act in respect of that period if this Act, except section four, had been in force during that period, less any amount that he was eligible to receive under The War Veterans' Allowance Act, 1946, in respect of that period.

Your Committee further recommends to the Government continued and sympathetic study of the needs and requirements of recipients of War Veterans' Allowance, keeping in mind the recommendations of Veterans' Organizations in that respect and particularly with regard to permissive income.

Will someone move the adoption of the report?

It has been moved and seconded that the report be adopted.

Carried.

Mr. BROOKS: I want to ask about section 1, Mr. Chairman. Your committee considered certain other proposed amendments to clauses 3, 6, and 31. What amendments does this refer to?

The ACTING CHAIRMAN: To these amendments.

Mr. BROOKS: They are not included in these 3, 6, and 31.

The ACTING CHAIRMAN: Yes. I think that is all right. All those in favour of the report?

Carried.

Gentlemen, I need a motion to reprint the bill. Will somebody move that we reprint the bill? It has been moved by Mr. McWilliam and seconded by Mr. Corry that the bill be reprinted.

Carried.

The deputy minister would like to make a statement.

Mr. BURNS: Mr. Chairman, I thought it would be of interest to the members of the committee to have on record the study made regarding the older veterans.

At the meeting held on 8th May in a statement read on my behalf, it was observed that the pattern of our population is changing and that a higher proportion of it will be in the age groups of from fifty years up than in the past. It was also noted that it is generally agreed to be better that these older citizens should work when they are able to, not only because of the contribution they make to the national production, but also from the point of view of their own health and contentment.

The Department has been conducting some researches into the pattern of our veteran population and we have established some facts which I think would be interesting to the Committee and which ought to be placed on record.

The first and most important body of information which has been assembled is that provided by the census taken last year. We made arrangements with the Bureau of Statistics to ask everyone who was of an age to be a veteran, whether he had served, in what war, with what forces and certain other questions. This information combined with the other information in the census card, will give us a very valuable and I think interesting picture statistically of our veteran population. Before this census, we really did not know how many veterans were surviving, what their ages were, or any other definite particulars about them. Of course, the whole of the data has not been worked out yet, but Mr. Rider, the Chief of Research and Statistics for the Department will, if you so desire, give you certain significant figures about the numbers and percentages of veterans in the older age groups who fall into the various categories of employed, retired, unemployable and some others.

The second important study was made to ascertain the life expectancy of recipients of War Veterans' Allowance. In order to do this we determined from departmental files what has happened to all of the veterans who were granted War Veterans' Allowance in the year 1935 and in the year 1936. Briefly, the purpose of the study was to determine whether these veterans were pre-aged in the sense that they would die at an earlier age than the general population. The results of the study show that this is not the case with those recipients who were awarded the allowance because they had reached the age of 60. Those who were awarded the allowance under the age of 60, and who were mostly suffering from severe illness or other physical disability did, as might be expected, die at an earlier age. I will not make further comments on the result of the study but will leave the conclusions so far as any can be drawn to be developed by Mr. Rider in his statement.

Mr. E. J. Rider, Director of Research, Department of Veterans Affairs, called:

The WITNESS: The first statement is one concerning the findings of the census in 1951 which the deputy minister mentioned without quoting figures. We have so far only preliminary answers from the studies made on the first run by the Dominion Bureau of Statistics, but they do provide us with some interesting facts about the veteran population 60 years of age or over. These are as follows:

LABOUR FORCE STATUS OF VETERANS 60 YEARS OF AGE AND OVER—CENSUS, JUNE 1951

| Labour Force Status | Age 60-64 Years | | Age 65 years and Over | | Total 60 Years or Over | |
|----------------------------------|-----------------|-------|-----------------------|-------|------------------------|-------|
| | No. | P.C. | No. | P.C. | No. | P.C. |
| With jobs..... | 45,926 | 74.9 | 22,009 | 34.9 | 67,935 | 54.6 |
| Looking for Work..... | 665 | 1.1 | 527 | 0.8 | 1,192 | 1.0 |
| Keeping House..... | 1,069 | 1.7 | 988 | 1.6 | 2,057 | 1.7 |
| Going to School..... | 2 | | | | 2 | |
| Retired or Voluntarily Idle..... | 9,189 | 15.0 | 30,768 | 48.8 | 39,957 | 32.1 |
| Permanently Unable to Work..... | 3,709 | 6.1 | 7,533 | 12.0 | 11,242 | 9.0 |
| Other..... | 740 | 1.2 | 1,189 | 1.9 | 1,929 | 1.6 |
| Total..... | 61,300 | 100.0 | 63,014 | 100.0 | 124,314 | 100.0 |

I might add that in group of 124,314 there were two veterans over 60 years of age reported as going to school. I am afraid they won't show up in the percentages.

In the second study, the study of veterans who were granted war veterans allowance in the years 1934 and 1935—with your permission, Mr. Chairman, I will synopsise the study as a whole rather than going into the detail of it.

We were very interested to see what happened to veterans granted the war veterans allowance, and also to explore, by age groups of the veterans, the various reasons why the allowance had been discontinued. We studied 3,582 files, and we first established that they were representative in so far as the whole group were concerned by studying the theatre in which they served. We then studied the age at which W.V.A. was granted and we found that the ages ranged from 31 years to 86 years, and that 42 per cent of the total were in the ages of 60, 61 or 62 years. In this particular part of this study we determined whether they were alive or deceased at the time the study was done, which was in January and February of this year. We found that of the 3,582 cases 1,584 were still living and 1,998 were deceased. Then we looked at the reasons for discontinuation of the Veterans Allowance and we found that 77.5 per cent of the cases which were discontinued, were discontinued because of death; .5 per cent because of hospitalization which resulted in death in later years than the original hospitalization;—5 per cent because the disability pension was increased, in other words, they became ineligible under the means test; 5 per cent of them obtained employment, 4.5 per cent received other income which was excess income—possibly they became inheritors of estates or some such thing; less than 1 per cent were stopped because they could no longer be classified as incapable of self maintenance; 1.5 per cent were granted the old age pension; about .5 per cent left Canada; and in less than 1 per cent of the cases the reason for discontinuation was of a disciplinary nature, that is, the recipients failed to disclose their income, or the war veterans allowance was not serving a useful purpose. There were 15 per cent discontinued because their income reached the level which disqualified them for the war veterans allowance. We made a more detailed study which you will see when the record is printed showing these discontinuations by the years in which they occurred and we did notice that the majority of the discontinuations occurred in the years early after the granting of the allowance. We attempted to make a comparison of the death rates between war veterans allowance recipients and civilian males of the same age groups, and we list the death rates for the 16 and 17 year periods covered in this study. In the combined study of the two years we found that we could get a pretty fair picture. Between the ages of 30 and 34, when we would expect two to die according to the Canadian Life Tables, we found that 14 did die. Then between the ages of 35 and 39, when we would expect 23 to die, 92 did die. Those 40-44 where you would expect 35 to die according to the Life Tables 117 actually died. In the age group, 45-49 where you would expect 55 to die 151 died. In the age group 50-54 where the expectancy would be 85 deaths, 151 died. In the age group 55-59 where you would expect 196 deaths, 289 died. In the age group 60-64—the ages are those at which the recipients are granted the allowance—where you expect 941 to die according to the Life Tables, 904 died. In the 65-69 years of age where you expect 213 to die, 208 died. In the 70-74 age group where you expect 60 to die, 54 died; and, over that age, where you would expect 19 to die, 18 died.

The ACTING CHAIRMAN: Mr. Rider, just a minute, if I may interrupt; I think this is very interesting to the committee. What is your interpretation of the statistics with respect to war veterans allowance and others? Would you care to summarize?

The WITNESS: Well, sir, from the Canadian Life Table we can calculate for a group of males of any given age—how many can be expected to live for a given period of years; and so, taking the number of war veterans allowance recipients that we were studying, we calculated—had they been normal males—what number we might expect to die during the 16- and 17-year period we

were studying. Also by studying then by age groups, and by having the information pertaining to this group of 3,600 allowance recipients, we could find out the actual number who had died.

The ACTING CHAIRMAN: Yes.

The WITNESS: Now, you will notice, for those granted the war veterans allowance while less than 60 the death rates were much higher than the Canadian Life Tables would infer. I think that is very reasonable because in all cases in which the war veterans allowance is granted at less than 60 years the man must be permanently disabled before he could get the allowance. He could not, in any way at all, hold a job when he got the war veterans allowance before he was 60 years of age. But, when we come to the group of men who got the allowance at 60 or over, then we find that there is a very close relationship between the theoretical group calculated from the life tables and the actual group which we were studying. Now, the only conclusion which I am able to draw from this is that it casts some doubt, at least in my mind, as to whether the theory of preageing is a valid theory. I do not mean to say that no veteran preages, but taking veterans as a group is the theory of preageing justified?

Mr. GREEN: That is a pretty long cast, isn't it? Because veterans by and large as a group are physically impaired. You suggest that they should live longer than other people. I do not see how you can sustain your argument that way.

The WITNESS: If I may, I would like to refer to the study made in 1939 by Dr. Burke, who studied deaths among war pensioners. He made a statement in that study to the effect that life insurance tables showed an ordinary selectivity worked out in five years time; in other words a group of individuals who were considered select, will return to their normal grouping in about five years; and in his study he came to the conclusion that selectivity, by way of impairment resulting in pensions appears to work out in approximately 10 years. I am not suggesting that you should accept that, on the other hand, I am merely drawing it to your attention to give some idea of the facts which I think this study brought out.

Mr. BROOKS: The argument of preaging does not necessarily mean to say that the veteran is preaged. Does it not rather mean that more men are becoming incapable of work as and after they get the war veterans allowance and that they can then take more leisure time?

The WITNESS: I think Dr. Burke answers that question far better than I can. I suggest this to you, that if we consider the man of sixty as physically the same as a man age 70 and the disparity in age continues, surely you would expect that man to die somewhat sooner than a man of normal age 70.

Mr. BROOKS: I do not think that is logical.

The ACTING CHAIRMAN: Gentlemen, we are now getting into an argument here, and Mr. Rider has some very interesting figures and statistics which I think the committee would like to have. It may be that we had better ask him to give us his information. His statement has been very interesting. Have you any more statistics?

The WITNESS: There is just one more interesting thing in the study and that is the figures relating to deaths. In addition to the death rates there is also provided a little graph which will appear in the record showing the curve of normal death rates and the death rates of these recipients of war veterans allowance. In studying the cases we find out as far as possible what condition caused the death. Now, the condition which caused death was very clear in cases where the individuals had died in a departmental hospital where there were autopsies, but in other cases sometimes the cause of death was rather hard

to dig out; but we did find out that arteriosclerotic and degenerative heart disease is the major cause of death, followed by malignant neoplasms, vascular lesions affecting the central nervous system, pneumonia (excluding hypostatic), pulmonary tuberculosis, hypertensive disease, and diseases of the arteries. We compared these with the causes of death of all patients in D.V. A. hospitals over the past two years and we found out that they were very comparable.

In conclusion sir, I can say that at the time we did this study, in January and February of 1952, of the 3,582 veterans who have been granted war veterans allowance in 1934 and 1935 almost 64 per cent have been discontinued, and 80 per cent of the discontinuations were caused by death; only approximately 15 per cent of the discontinuations resulted from excess income. The death rate of those under 60 years of age was much higher than would be expected in the male population of a similar age group. The death rate of the age group 60 or more was very similar or slightly less than we would expect to see using the Canadian Life Tables; and the causes of death show no major variations from the total experience in departmental hospitals.

The ACTING CHAIRMAN: Thank you very much, Mr. Rider.

Mr. GILLIS: This presentation has been very interesting Mr. Chairman; it has given us much useful information. Would it be Mr. Rider's opinion that that would be due to the fact that the war veterans allowance recipient was eligible for medical and surgical care and hospital supervision; would that not have some effect on it?

The WITNESS: No doubt that has some effect, but they have not been eligible for general treatment for many years. It is only the last few years that they have received such treatment. Probably the answer to it is that the group was a pretty hardy group in the first place, they were hard men, if I may put it that way, capable of taking knocks and coming through.

The ACTING CHAIRMAN: Physically hard?

The WITNESS: Yes, sir.

The ACTING CHAIRMAN: This completes the taking of evidence before this committee. There is nothing else before the committee except the report.

Mr. GREEN: There was some mention in one of the earlier meetings of the extent of treatment privileges. I am not sure whether the deputy was to get a further statement on that or no. If you will remember, the National Council raised it in a brief.

Mr. BURNS: I have not understood that we were to get a further report, but we are looking into the possibility of seeing whether we could extend treatment privileges for non-pensionable conditions to the more severely disabled, which was what I understood was brought up, possibly under some type of insurance scheme as was suggested by Colonel Baker. There was one case that was brought to our attention of a very severely disabled veteran that we looked into and we found that in point of fact he had never applied for treatment of any condition and been refused. We did look into that one case, which was brought to our attention.

The ACTING CHAIRMAN: As I said, the matter of hearing witnesses is completed. There will now be the matter of a report.

On behalf of the chairman, who could not be here today, and on your behalf, I want to thank all witnesses for the help that they gave the committee and for the assistance that they gave us. I also want, on behalf of the chairman, to thank the members of the committee for their attentiveness to the task of this committee. This has always been a very important committee and members have devoted themselves to it. I hope that we have impressed upon the administrative forces that we want them, as usual, to keep the veterans' interest before them constantly. Thank you very much, gentlemen.

A STUDY OF THOSE VETERANS GRANTED WAR VETERANS ALLOWANCES DURING 1934 AND 1935

It has long been accepted that in order to provide adequately for the future and to gain some ideas of what to expect in the future we must study the past.

What happens to veterans who are granted War Veterans Allowances? Do they die younger than is normal for their age-groups? For what reason is the allowances which they have been granted discontinued? These are questions which commonly arise in the mind of a person thinking of War Veterans Allowance recipients. Recipients are often considered as a group set apart since in order to receive the allowance they must meet a financial means test and must be either incapable of self-maintenance or must have reached the age of sixty years. This latter group are granted the allowance on the basis that because of the privations suffered during service they are prematurely "burnt-out".

With these questions in mind it was decided to study a group of veterans who had been granted the allowance some years ago, and, arbitrarily the year 1934 was chosen. A total of 1,758 files were drawn and data extracted. When the results were tabulated the findings were such that it was decided to go further with the study to either verify or disprove the findings. The year 1935 was taken and a further 1,824 files were studied. This paper is the result of these two studies. In some cases where a table is strictly factual without conclusions being drawn from it the data is combined; in other cases the findings of each study are shown as well as the combined data.

In all there were 3,910 grants of W.V.A. made in the period selected for study and of this number 3,582 files were studied. In cases where the veteran is still in receipt of the allowance, is in receipt of a disability pension, or was discontinued because of death all the required data was available on the file. There may be, however, some cases where the allowances was discontinued for reasons other than death, and where the recipient subsequently died without the data being on his file. This group is relatively small and would not have any marked affect on the findings.

Location of Service

The group studied is representative insofar as location of service is concerned with all those granted the allowance in the early years in which the act was in force. The 3,582 recipients served in:

| | | |
|---------------------------|-------|--------|
| Canada only | 76 | 2.12% |
| United Kingdom | 325 | 9.07% |
| Europe | 3,083 | 86.07% |
| Middle East | 29 | .81% |
| Siberia | 11 | .31% |
| High Seas | 51 | 1.42% |
| Boer War and Canada | 7 | .20% |

In 1938 when more than 17,000 applications had been received and there were more than 13,000 recipients 85.89% had served in Europe, 9.59% in the United Kingdom and 1.38% on the High Seas. It can be seen that the relationship is very close.

Ages at which W.V.A. Granted

The table following (Table I) shows the ages of the 3,582 veterans at the time the allowance was granted according to whether they will be alive or deceased at the time the survey was made—January-February, 1952. It will be noted that the ages range from 31 years to 86 years, and that 1,504 (or 42%) of the total were in the ages of 60, 61 or 62 years.

TABLE I
NUMBER STUDIED ACCORDING TO AGE AT TIME W.V.A.
GRANTED AND WHETHER LIVING OR DECEASED
IN JANUARY-FEBRUARY, 1952

| Age at Time W.V.A. Granted | Status, 1952 | | | Age at Time W.V.A. Granted | Status, 1952 | | |
|----------------------------------|--------------|----------|-------|----------------------------------|--------------|----------|-------|
| | Living | Deceased | Total | | Living | Deceased | Total |
| 31 | 2 | .. | 2 | 56 | 31 | 49 | 80 |
| 32 | .. | .. | .. | 57 | 28 | 59 | 87 |
| 33 | 2 | 5 | 7 | 58 | 31 | 68 | 99 |
| 34 | 4 | 9 | 13 | 59 | 53 | 69 | 122 |
| 35 | 17 | 13 | 30 | 60 | 536 | 530 | 1,066 |
| 36 | 13 | 15 | 28 | 61 | 124 | 136 | 260 |
| 37 | 21 | 20 | 41 | 62 | 75 | 103 | 178 |
| 38 | 46 | 23 | 69 | 63 | 44 | 81 | 125 |
| 39 | 34 | 21 | 55 | 64 | 45 | 54 | 99 |
| 40 | 24 | 38 | 62 | 65 | 29 | 68 | 97 |
| 41 | 27 | 15 | 42 | 66 | 16 | 53 | 69 |
| 42 | 33 | 22 | 55 | 67 | 15 | 29 | 44 |
| 43 | 20 | 21 | 41 | 68 | 13 | 35 | 48 |
| 44 | 21 | 21 | 42 | 69 | 10 | 23 | 33 |
| 45 | 21 | 38 | 59 | 70 | 8 | 18 | 26 |
| 46 | 24 | 28 | 52 | 71 | 4 | 14 | 18 |
| 47 | 25 | 31 | 56 | 72 | 2 | 9 | 11 |
| 48 | 17 | 20 | 37 | 73 | .. | 6 | 6 |
| 49 | 18 | 34 | 52 | 74 | 1 | 7 | 8 |
| 50 | 25 | 28 | 53 | 75 | .. | 4 | 4 |
| 51 | 20 | 25 | 45 | 76 | .. | 3 | 3 |
| 52 | 21 | 26 | 47 | 77 | 2 | 2 | 4 |
| 53 | 31 | 40 | 71 | 78 | .. | 2 | 2 |
| 54 | 30 | 32 | 62 | 79 | .. | 3 | 3 |
| 55 | 21 | 44 | 65 | 81 | .. | 2 | 2 |
| | | | | 83 | .. | 1 | 1 |
| | | | | 86 | .. | 1 | 1 |
| Grand Total | | | | | 1,584 | 1,998 | 3,582 |

Although both the median and modal age is 60 years, and, under the terms of eligibility in the Act this is to be expected, it is of interest to note that of the 3,582 there were 1,474 veterans under the age of 60 years who were granted the allowance. This figure represents 41 per cent of the total.

Discontinuation of the Allowance

Table II which follows provides an answer to the question concerning the various reasons for which the allowance is discontinued. In summary it shows that during the period studied 1934-35 to 1952 some 64% of the original recipients were discontinued, and at the time of the study only 36% were still in receipt of the allowance.

TABLE II
REASONS FOR DISCONTINUATION OF W.V.A.

| Reason | First Study 17 Year Period | | Second Study 16 Year Period | | Both Studies | |
|---|-------------------------------|---------|--------------------------------|---------|-----------------|---------|
| | No. | % | No. | % | No. | % |
| Death | 873 | 76.85 | 903 | 78.24 | 1,776 | 77.55 |
| Hospitalization—died in later years .. | 33 | 2.91 | 25 | 2.17 | 58 | 2.53 |
| Disability Pension Increased | 58 | 5.11 | 62 | 5.37 | 120 | 5.24 |
| Employed | 54 | 4.75 | 60 | 5.20 | 114 | 4.98 |
| In Receipt of Excess Income | 53 | 4.67 | 52 | 4.51 | 105 | 4.59 |
| No Longer Incapable of Self- maintenance .. | 11 | .97 | 9 | .78 | 20 | .87 |
| Left Canada | 9 | .79 | 6 | .52 | 15 | .66 |
| Granted Old Age Pension | 23 | 2.02 | 10 | .87 | 33 | 1.44 |
| Disciplinary (a) | 9 | .79 | 12 | 1.04 | 21 | .92 |
| Other Reasons | 13 | 1.14 | 15 | 1.30 | 28 | 1.22 |
| Total | 1,136 | 100.00% | 1,154 | 100.00% | 2,290 | 100.00% |

(a) "Failure to disclose income" and "W.V.A. not serving a useful purpose".

This table shows that only a small proportion of the veterans who have been granted W.V.A. can be expected to be discontinued other than through death or hospitalization which terminates in death. About 15 per cent are discontinued because their income reaches a level which disqualifies them under the Act and this group is evenly divided between those whose disability pension is increased, those who secure continuing employment and those who for other reasons (legacies, etc.) become better off financially.

An additional table of discontinuations (Table III) shown below gives the detail of reasons according to the year in which the discontinuation occurred. From it it will be seen that the largest number of discontinuations occur in the first two years after the allowance has been granted and that death is the major reason. This, no doubt, reflects the termination of disabling conditions which are in a serious stage at the time the allowance is granted. It is also interesting to note that more than 40 per cent of those who were discontinued because they obtained employment were discontinued in the years 1941-42-43.

TABLE III
DETAIL OF REASONS FOR DISCONTINUATION BY YEARS

| Year of Discontinuation | Distribution of Discontinued by Reasons | | | | | | | | | | | | | | | All Purposes | |
|-------------------------|---|---------------------------------|--------------------------------|----------|-----------------------------|---|-------------|-------------------------------|---------------------------------------|--|----------------|------------------------------|---------------------|--|----------------------------------|--------------|------------------------------------|
| | Death | Hospitalized—Died in Later Year | Increase in Disability Pension | Employed | In Receipt of Excess Income | No Longer Incapable of Self-Maintenance | Left Canada | In Receipt of Old Age Pension | In Receipt of Unemployment Supplement | Pension Cancelled—No Other Eligibility | At Own Request | Hospitalized—Still a Patient | Whereabouts Unknown | Failure to Disclose Data re Earnings or Assets | W.V.A. Serving No Useful Purpose | | Misconduct—Irregular Use of W.V.A. |
| 1934 | 59 | 1 | 14 | 2 | 6 | 2 | 3 | 3 | | 1 | | | | 2 | 1 | | 87 |
| 1935 | 134 | 2 | 14 | 12 | 10 | 2 | 4 | 4 | | | | 1 | 2 | 5 | | | 188 |
| 1936 | 160 | 4 | 19 | 9 | 9 | 8 | | 1 | | 1 | | | | 1 | | | 211 |
| 1937 | 107 | 5 | 14 | 11 | 4 | 6 | 3 | 3 | | | | 1 | 1 | 3 | 1 | 1 | 157 |
| 1938 | 109 | 10 | 9 | 3 | 5 | 2 | 2 | 2 | | | | | | 1 | | | 141 |
| 1939 | 86 | 1 | 9 | 5 | 11 | 1 | | | | | | | 2 | 1 | | | 116 |
| 1940 | 115 | 3 | 7 | 4 | 4 | | | | | | | | 1 | 1 | | | 135 |
| 1941 | 97 | 3 | 6 | 4 | 9 | | 1 | 1 | | | 1 | | 1 | 1 | | | 130 |
| 1942 | 101 | 7 | 5 | 13 | 5 | 1 | | | | | | | | | | | 138 |
| 1943 | 112 | | 6 | 15 | 1 | | | 1 | | | | | | 2 | | | 132 |
| 1944 | 79 | 2 | | 1 | 7 | | | 1 | | | 1 | | | | | | 91 |
| 1945 | 85 | 4 | 9 | 6 | 7 | | | | | | | | | | | | 112 |
| 1946 | 94 | 8 | 3 | 3 | 6 | | 1 | | | | | | | | 1 | | 123 |
| 1947 | 86 | 2 | 2 | 4 | 5 | | | 7 | | | | | | | | | 108 |
| 1948 | 90 | 6 | 1 | 1 | 3 | | | 9 | | | | | 1 | 1 | | | 107 |
| 1949 | 105 | | 3 | 3 | 5 | | 1 | 2 | | | | | | | | | 119 |
| 1950 | 88 | | 1 | 1 | 1 | | | 5 | | | | | | | | | 96 |
| 1951 | 69 | | 3 | 1 | 7 | | | 4 | 15 | | | | | | | | 99 |
| Total | 1,776 | 58 | 120 | 114 | 105 | 20 | 15 | 33 | 15 | 1 | 1 | 2 | 9 | 16 | 4 | 1 | 2,290 |

Number still in receipt of allowance at time of survey 1,292

Total surveyed 3,582

Death Rates

To make a comparison of the death rates for W.V.A. recipients with the normal death rates of the adult male population the Canadian Life Tables of 1941 are used. These tables were calculated on the basis of deaths in 1940-1942 and the population in 1941 (Dominion Bureau of Statistics—Vital Statistics Analytical Report No. 4—1947). The 1941 tables are used in preference to later tables since the basis of calculation fits in better with the period studied—1934-1951. The death rates to be expected, based upon these tables, for the general male adult population are as follows:

| Age at Time Allowance Granted | Percentage of Deaths for 17 Year Period 1st Study | Percentage of Deaths for 16 Year Period 2nd Study |
|-------------------------------------|---|---|
| 31..... | 7.07% | 6.42% |
| 32..... | 7.52 | 6.82 |
| 33..... | 8.03 | 7.27 |
| 34..... | 8.59 | 7.77 |
| 35..... | 9.21 | 8.32 |
| 36..... | 9.89 | 8.92 |
| 37..... | 10.62 | 9.58 |
| 38..... | 11.42 | 10.30 |
| 39..... | 12.28 | 11.08 |
| 40..... | 13.20 | 11.92 |
| 41..... | 14.21 | 12.83 |
| 42..... | 15.30 | 13.82 |
| 43..... | 16.48 | 14.89 |
| 44..... | 17.74 | 16.04 |
| 45..... | 19.11 | 17.38 |
| 46..... | 20.58 | 18.62 |
| 47..... | 22.25 | 20.06 |
| 48..... | 23.84 | 21.61 |
| 49..... | 25.64 | 23.26 |
| 50..... | 27.53 | 25.01 |
| 51..... | 29.57 | 26.88 |
| 52..... | 31.73 | 28.88 |
| 53..... | 34.01 | 31.00 |
| 54..... | 36.42 | 33.24 |
| 55..... | 38.97 | 35.62 |
| 56..... | 41.66 | 38.13 |
| 57..... | 44.51 | 40.80 |
| 58..... | 47.49 | 43.61 |
| 59..... | 50.60 | 46.57 |
| 60..... | 53.83 | 49.66 |
| 61..... | 57.14 | 52.87 |
| 62..... | 60.51 | 56.17 |
| 63..... | 63.90 | 59.53 |
| 64..... | 67.28 | 62.93 |
| 65..... | 70.62 | 66.32 |
| 66..... | 73.87 | 69.68 |
| 67..... | 77.01 | 72.96 |
| 68..... | 79.99 | 76.13 |
| 69..... | 82.78 | 79.15 |
| 70..... | 85.37 | 81.99 |
| 71..... | 87.74 | 84.64 |
| 72..... | 89.87 | 87.06 |
| 73..... | 91.77 | 89.26 |
| 74..... | 93.42 | 91.22 |
| 75..... | 94.83 | 92.93 |
| 76..... | 96.02 | 94.41 |
| 77..... | 96.99 | 95.66 |
| 78..... | 97.78 | 96.69 |

| Age at Time Allowance Granted | Percentage of Deaths for 17 Year Period 1st Study | Percentage of Deaths for 16 Year Period 2nd Study |
|-------------------------------------|---|---|
| 79..... | 98·40 | 97·54 |
| 80..... | 98·88* | 98·21 |
| 81..... | 97·24 | 98·73 |
| 82..... | | 99·13 |
| 83..... | | 99·42 |
| 84..... | | 99·63 |
| 85..... | | 99·77 |
| 86..... | | 99·86 |

The following table (Table IV) shows, of those surveyed, the number who would be expected to die according to the Canadian Life Tables compared with the number who have actually died up to the end of 1951. In this table each study is shown separately along with combined figures since the comparison is of interest:

TABLE IV
COMPARISON OF ANTICIPATED AND ACTUAL DEATHS AMONG RECIPIENTS—1934 TO 1951

| Age Group at Home Allowance Granted | Number in Survey | | Deaths According to Canadian Life Tables | | Actual Deaths | |
|-------------------------------------|--|--|--|--|--|-------------------|
| | 1st Study— Period of 17 Years 1934-1951 | 2nd Study— Period of 16 Years 1935-1951 | Combined Study | 1st Study— No. of Deaths Anticipated | 2nd Study— No. of Deaths Anticipated | Combined Study |
| 30-34..... | 17 | 5 | 22 | 1 | 1 | 2 |
| 35-39..... | 118 | 105 | 223 | 13 | 11 | 23 |
| 40-44..... | 127 | 115 | 242 | 20 | 16 | 35 |
| 45-49..... | 119 | 137 | 256 | 26 | 27 | 54 |
| 50-54..... | 125 | 153 | 278 | 40 | 45 | 85 |
| 55-59..... | 182 | 271 | 453 | 83 | 113 | 196 |
| 60-64..... | 889 | 839 | 1,728 | 504 | 437 | 941 |
| 65-69..... | 137 | 154 | 291 | 104 | 109 | 213 |
| 70-74..... | 34 | 35 | 69 | 30 | 30 | 60 |
| 75-79..... | 8 | 8 | 16 | 8 | 8 | 15 |
| 80-84..... | 2 | 1 | 3 | 2 | 1 | 3 |
| 85-89..... | | 1 | 1 | | 1 | 1 |
| Total..... | 1,758 | 1,824 | 3,582 | 831 | 799 | 1,628 |
| | | | | 994 | 1,004 | 1,998 |

As will be seen in each of the studies, the number of deaths among those granted the allowance while less than 60 years of age is considerably higher than would be expected in the general male population of similar ages over the same period of time. This is not surprising since under the terms of eligibility in the Act the veteran must be sufficiently disabled to be termed "permanently unemployable" before he may receive the allowance if he has not attained 60 years of age.

It is surprising, however, that the deaths among those granted the allowance at 60 years of age or more is so closely comparable with the anticipated figure for the general male adult population and is, in fact, less than the anticipated figure. These findings cast serious doubt on the belief that men with service in a theatre of war or with a disability pension pre-age and are "burnt-out" earlier than would otherwise be expected.

If the theory of pre-aging is valid—that is that the veteran eligible for War Veterans Allowance is at age 60 comparable in physique with other males who are older—we would expect to see them die earlier than the general male population of similar ages when compared over a similar period of time. This, apparently, is not so.

To translate the foregoing table into a comparative table of death rates it shows the following:

| Age Group at Time W.V.A. Granted | Anticipated Death Rate per 1,000 According to the Canadian Life Tables | | | Death Rate per 1,000 W.V.A. Recipients from Study Findings | | |
|--|--|-------------------------------|--------------------------|--|-------------------------------|--------------------------|
| | 1st Study over 17 Years | 2nd Study over 16 Years | Com- bined Studies | 1st Study over 17 Years | 2nd Study over 16 Years | Com- bined Studies |
| 30-34..... | 82 | 76 | 80 | 588 | 800 | 636 |
| 35-39..... | 108 | 101 | 105 | 398 | 429 | 413 |
| 40-44..... | 154 | 136 | 145 | 504 | 461 | 483 |
| 45-49..... | 221 | 200 | 210 | 580 | 599 | 590 |
| 50-54..... | 319 | 295 | 306 | 600 | 497 | 543 |
| 55-59..... | 456 | 417 | 433 | 687 | 605 | 638 |
| 60-64..... | 567 | 521 | 545 | 531 | 515 | 523 |
| 65-69..... | 757 | 708 | 731 | 715 | 714 | 715 |
| 70-74..... | 875 | 860 | 867 | 735 | 829 | 783 |
| 75-79..... | 969 | 949 | 959 | 875 | 875 | 875 |
| 80-84..... | 990 | 990 | 990 | 1,000 | 1,000 | 1,000 |
| 85-89..... | | 1,000 | 1,000 | | 1,000 | 1,000 |

If the whole group over 60 years of age is considered the probability of the W.V.A. recipient living 16-17 years after being awarded the allowance is 4 per cent better than the probability of the general male population 60 years of age or more is of living a similar period. This comparison of death rates is shown graphically on this graph attached as Appendix "A".

Causes of Death

In the study a classification was made of the causes of death, and it was found that seven leading causes accounted for approximately 75 per cent of the total deaths. These seven causes were:

Arteriosclerotic and Degenerative Heart Disease.

Malignant Neoplasms.

Vascular Lesions affecting the Central Nervous System.

Pneumonia (excluding Hypostatic).

Pulmonary Tuberculosis.

Hypertensive Disease.

Diseases of the Arteries.

This was compared with the leading causes of death for all cases in D.V.A. hospitals over the past two years and was found similar. The W.V.A. group showed a greater proportion of Arteriosclerotic and Degenerative Heart Disease cases, but this can be explained by the fact that a high proportion of those granted W.V.A. while under 60 years of age are disabled by this condition.

Conclusions

From a study of 3,582 veterans granted War Veterans Allowances in 1934 and 1935 it was found that:

(a) Almost 64 per cent had, between the time W.V.A. was granted and the time of the survey, been discontinued from receipt of the allowance. The major reason for discontinuation was death (approximately 80 per cent of all discontinuations).

(b) Only approximately 15 per cent of the discontinuations resulted from bettered financial conditions.

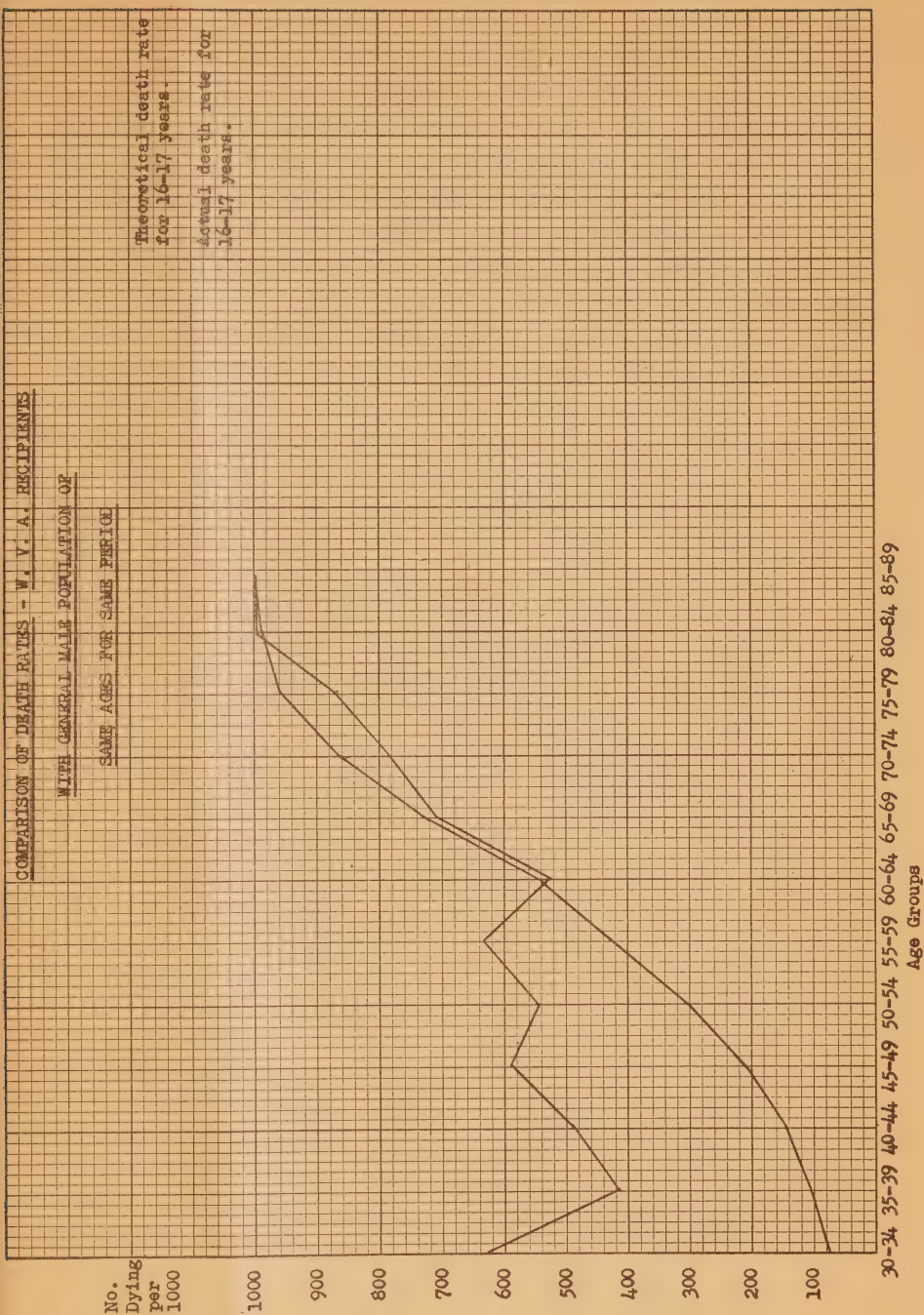
(c) The death rate amongst those granted W.V.A. while under 60 years of age is very much higher than the death rate for the general male population of similar ages for a similar period of time. This is explained by the terms of eligibility under which these veterans receive W.V.A.

(d) The death rate amongst those granted W.V.A. at 60 years of age or more is closely comparable with the rates for the general male population of similar ages for the same period of time. From the study it appears that the W.V.A. recipients have a lower death rate than the general male population. A serious doubt is cast on the validity of the theory of pre-aging amongst veterans with service in a theatre-of-war or with disability pensions.

(e) The causes of death of W.V.A. recipients show no major variations from total experience in Departmental Hospitals.

E. J. Rider,
Research Adviser.

February 27, 1952.



BINDING SECT. JAN 21 1980

